

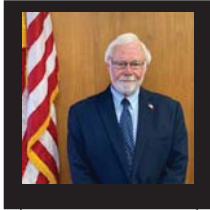
Proceedings
OF THE
BOARD OF LEGISLATORS
OF
LEWIS COUNTY
FOR
2021

Chairman
Lawrence L. Dolhof
Lyons Falls, New York

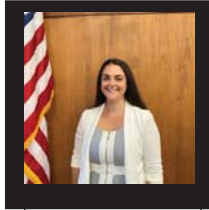
Clerk of the Board
Cassandra Moser
Croghan, New York



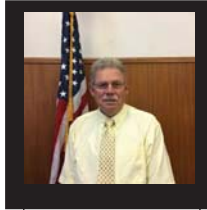
Lawrence L. Dolhof
Chairman of the Board



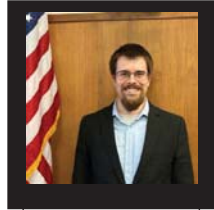
District 1
Philip Hathway



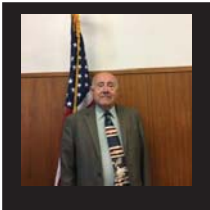
District 2
Lisa Virkler



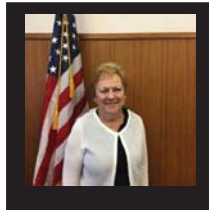
District 3
Ronald Burns



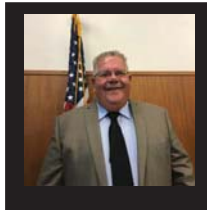
District 4
Ian Gilbert



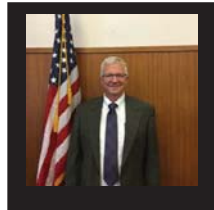
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Richard Chartrand



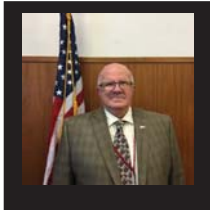
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Andrea
Moroughan



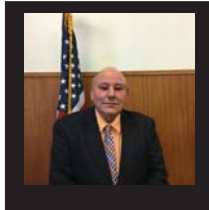
District 7
Gregory Kulzer



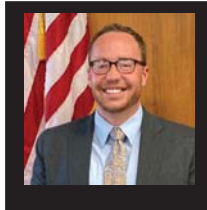
District 8
Lawrence Dolhof



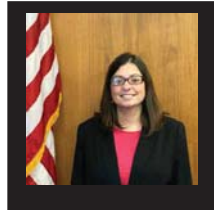
District 9
Thomas Osborne



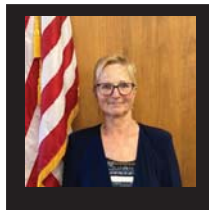
District 10
Jerry King



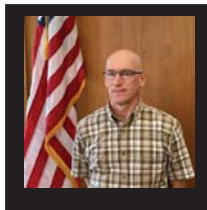
County Manager
Ryan Piche



Clerk of the Board
Cassandra Moser



County Attorney
Joan McNichol



County Treasurer
Eric Virkler

Member of Congress
HON. ELISE STEFANIK
Watertown, New York

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

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

COUNTY OFFICIALS – 2021

	Supreme Court Judge	
CHARLES MERRELL		Lowville, New York
	County/Surrogate & Family Court Judge	
DANIEL KING		Lowville, New York
	Supreme/ Surrogate’s Clerk	
DEANNA MORSE		Watson, New York
	Family Court Clerk	
LACEY NORTHRUP		Lowville, New York
	County Manager/Budget Officer	
RYAN PICHE		Lowville, New York
	County Clerk	
JAKE MOSER		Lowville, New York
	Deputy County Clerk	
LORRI LOVETT		Glenfield, New York
	District Attorney	
LEANNE MOSER		Castorland, New York
	Sheriff	
MICHAEL CARPINELLI		Osceola, New York
	Undersheriff	
JASON MCINTOSH.....		Beaver Falls, New York
	Treasurer/Deputy Budget Officer	
ERIC VIRKLER		Lowville, New York
	Deputy Treasurer	
TASZDEN NEWTON		Lowville, New York
	Attorney	
JOAN MCNICHOL		Lowville, New York
	Buildings and Grounds Supervisor	
MATTHEW O’CONNOR.....		Lowville, New York
	Commissioner of Jurors	
ANN HILL		Lowville, New York
	Director of Community Services	
PATRICIA FRALICK		Lowville, New York
	Election Commissioners	
ANN NORTZ (Republican)		Lowville, New York
LINDSAY BURRISS (Democrat)		Croghan, New York
	Emergency Medical Services Assistant	
JENNIFER MARACCHION		Lyons Falls, New York

	Fire and Emergency Management Director	
ROBERT MACKENZIE, III.....		Lyons Falls, New York
	Highway Superintendent	
TIMOTHY HUNT		Lowville, New York
	Hospital Administrator	
GERALD CAYER		Lowville, New York
	Human Resources Director	
CAITLYN SMITH.....		Turin, New York
	Junkyard Inspector/Sr. Building Codes Officer	
WARD DAILEY		Lyons Falls, New York
	Nursing Home Administrator	
DEBRA WURZ		Lowville, New York
	Office For Aging Director	
CRYSTAL COLLETTE.....		Lowville, New York
	Probation Director	
MATTHEW MORROW		Beaver Falls, New York
	Public Health Director	
ASHLEY WAITE		Lowville, New York
	Real Property Tax Director	
CANDY AKIN.....		Lyons Falls, New York
	Records Management Officer	
JAKE MOSER		Lowville, New York
	Recreation, Forestry & Parks Director	
JACQUELINE MAHONEY		Lowville, New York
	Social Services Commissioner	
JENNIFER JONES		Beaver Falls, New York
	Solid Waste Coordinator	
KIP TURCK		Croghan, New York
	Veterans' Services Director	
STEPHEN KILIONSKI		Castorland, New York
	Workers' Compensation Administrator	
CASSANDRA MOSER		Croghan, New York

Chairman, Board of Legislators
LAWRENCE L. DOLHOF
Lyons Falls, New York

Clerk, Board of Legislators
CASSANDRA MOSER
Croghan, New York

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**ORGANIZATIONAL MEETING
January 5, 2021**

The meeting was called to order at 5:03 p.m. by Clerk of the Board Cassandra Moser.

Roll Call: All Legislators were present virtually as well as 8 other persons present.

The Clerk of the Board called for nominations for a permanent Chair of the Board. Legislator Chartrand nominated Legislator Dolhof, seconded by Legislator Burns. There being no other nominations, Legislator Burns made a motion for the Clerk to close the polls and cast one ballot for Legislator Dolhof, seconded by Legislator King.

Chairman Dolhof thanked the legislators for their continued support and looks forward to working together in 2021. Then Chairman Dolhof led the Pledge of Allegiance to the Flag.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

PRIVILEGE OF THE FLOOR:

The Clerk of the Board read the following letter which was received by Roxaina L. Hurlburt of Lowville, NY:

Please accept this letter with attachment, and I asked that it be read into the minutes of your upcoming January 2021 Board meeting. As you can see from the attached letter that I sent to the New York State Public Service Commission/Consumer Services, broadband has become a critical problem for families living on the North end of the East Road in the Town of Denmark. In the letter, I outline the situation and asked for their help and suggestions. I have also attached the email they sent back basically telling us they could not intervene.

Since it is obvious that we are going to have to help ourselves, I have been talking with Reed Kinderman in Senator Griffo's office, Brian Peck in Assemblyman Blankenbush's office, and Casandra Buell in Lewis County Planning Office. We are presently forming a local group of neighbors to work together on this dilemma hoping an organized group will be most effective. Many have already taken the Lewis County Broadband Survey, and we are urging everyone to do so. We wanted the Lewis County Board of Legislators to know of our efforts as I am sure there are other groups in the County facing the same problem. If you have any thoughts or suggestions that could be done to expedite broadband to our area, we would be appreciative.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

A resolution was received from the Town of Greig declaring that Enforcement of the Uniform Building for the Town of Greig shall be provided by the County of Lewis effective

JANUARY 5, 2021

January 1, 2021, and that the Enforcement of the Zoning Laws and Subdivision Laws of the Town of Greig shall be enforced by its dully appointed Zoning Enforcement Officer

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the December 2020 Treasurer's report; 4th Quarter Bed Tax Report; and December 2020 Highway & Solid Waste Audit reports.

Director of Fire and Emergency Services Robert Mackenzie, III has informed of his deputy fire coordinators for 2021: Richard Ross, Gary Ashline, Robert Bellinger, Joseph Shue, Jeff Nellenback, and Ronald Gingerich; as well as EMS deputy coordinators Jennifer Maracchion, Mark Tuttle and David Kuhl.

REPORTS OF STANDING COMMITTEES:

Chairman Dolhof announced that the Chair of the General Services committee will be Legislator Jerry King and Vice-Chair will be Legislator Ian Gilbert; the Chair of the Health & Human Services committee will be Legislator Andrea Moroughan and Vice-Chair will be Legislator Richard Chartrand; the Chair of the Finance & Rules Committee will be Legislator Thomas Osborne and Vice-Chair will be Legislator Ronald Burns.

Legislator Chartrand reported that the November Employee of the Month for Lewis County General Hospital was Whitney Waugh, RN. She received this recognition because she was able to facilitate a virtual meeting between a patient and the family, before the patient passed away, which brought much joy during a difficult time. Corporate Compliance Attorney David Hoffman commended the Lewis County Health Systems Corporate Compliance team for doing an outstanding job during such a difficult year. The Board of Managers voted in Michael Young as President, Donald Musnicki as Vice-President, and Philip McDowell as Secretary.

Lewis County Health Systems CEO Jerry Cayer reported that there was over a \$1 million loss which is due to the reduction of IGT (estimated at \$1.4 million). The increase in COVID-19 cases has resulted in a lower volume of activities which created less revenue than anticipated. The increase in costs for PPE from the pandemic has been a major hit to the budget. Pharmaceutical costs have gone up as well. Lastly, COVID-19 testing in the Nursing Home continues to be a large expense at roughly \$49,000 per week. Legislator Kulzer questioned why the IGT funding was reduced, Jerry explained that it was due to the State "truing up" payments from previous years and the Nursing Home had a flat reduction from the State.

Jerry reported that there is only 1 positive case in the Nursing Home at this time, which shows the great work the team there is doing. The Hospital continues to carefully monitor staff to reduce any spread within the system, there is currently 8 staff who are in isolation, 2 Nursing Home staff, and roughly a dozen staff in quarantine. There were 254 COVID tests done today and 439 completed yesterday. COVID-19 patients are about 50% of the hospital census on any given day, some days it spikes higher. Today there have been 11 discharges which puts the census back down to 22 patients. Responding to Legislator King's question Jerry confirmed that

PROCEEDINGS OF THE BOARD OF LEGISLATORS

they are still doing surgeries and have a collaborative between local hospitals to be able to assist if necessary.

Ryan Piche expanded on Legislator Chartrand's request for vaccination updates that things are changing on an hourly basis but so far Lewis County has done an excellent job handling everything. To date there have been 429 Phase 1 people vaccinated in Lewis County. The current POD (Point Of Distribution) is at the Lowville Fire Hall which has been staffed by the hospital and county employees.

Jerry reported that the Moderna vaccine is the one being used and that there has not been a single dose wasted which is difficult because once the vial is opened it must be used in a certain period of time. In a few weeks the second shot will be given which will require just as much organization and effort as the current PODs. The State needs an inventory of the vaccine each day and any doses remaining at the end of the week will need to be returned, which hopefully will be very few doses. Ryan praised the hospital for doing such a wonderful job but is hopeful that Public Health will be able to step in for the next Phases which is what Public Health is designed for. Ryan explained that once Public Health is focused on the vaccination for the community those individuals would not be able to continue to handle Case Investigation, Monitoring, or Quarantining which will be put onto other County staff.

Legislator Kulzer voiced his opinion that instead of 5 temporary positions being asked for in the late resolution, that it should be increased to 10. Ryan said that the late resolution is asking for 3 more positions, one which is a nurse, so that brings the temporary positions up to 8 but at this moment the county is keeping up with the case load. Legislator Kulzer explained that we need to grow the temporary staff to handle the increase that is likely coming, which if done now gives time for training. Ryan suggested that the Resolution can be amended to go from 2 to 5 temporary employees. Legislator Hathway agreed that would be the best path forward.

Ryan shared one of the videos that was put together based on the legislator's suggestion of having community members speak about the pandemic to the general public. Channel 7 News will be airing all 6 videos that were made as commercials over the next few weeks. Legislator Moroughan reported that several of her constituents have given positive feedback from seeing them on social media sites. Legislator Kulzer questioned if those who were getting tested at Maple Ridge could also get vaccinated. Jerry Cayer responded that it would not be safe because they would have to be monitored for a specific period of time after receiving the vaccination.

Legislator Gilbert question if the doses we have would have to be returned to the State or if any of the doses would be expired before being used. Jerry Cayer responded that he is not worried about any doses expiring because the expiration date is far off or having to send many back to the State as they will be utilized as much as possible for the Phase 1 group. He also clarified that the State would send the same number of vaccines for the second round based on what was used in the first round, so there shouldn't be any shortage there.

Ryan pointed out that Chairman Dolhof and himself have been advocating to the State for a more regional approach so that our community members don't have to wait. Legislator Kulzer questioned the Phases and when people over the age of 65 can get vaccinated. Ryan responded

JANUARY 5, 2021

by stating that Phase 1 is for those over 75 years of age but thinks the State may rework the Phases going further. Ryan stated that there will be PODs throughout the county to make it easier to access for the elderly. Legislator Chartrand clarified that each Phase is broken into several sub-categories, and currently we are in week 4 or Phase 1a.

COUNTY MANAGER REPORT:

Ryan reported that he expects there will be a considerable amount of legislation pushed through in 2021 and believes we need to stay on top of this to make sure the State doesn't cut funding further, especially with the budget deficit. Another thing to watch for will be the decriminalization of marijuana.

COUNTY TREASURER REPORT:

Eric reviewed the revenue reported for the county tax auction which was \$134,998.00, more than the \$110,000.00 which was budgeted for 2020. Chairman Dolhof questioned the figures that were reported on solar savings and why it seems low. Legislator Hathway believes that it is lower than what was anticipated due to the change in rates on the meter that was used to factor the estimated savings. Joan McNichol stated that Legislator Hathway can send out the spreadsheets that were originally used to estimate the savings. Ryan stated that Green Skies estimated production levels have been met so it isn't due to a lack of production.

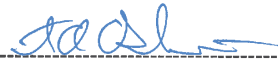
REPORT OF THE FINANCE AND RULES COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

To: The Honorable County Legislators

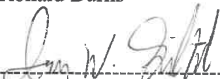
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 728,628.50 and recommend that they be audited and allowed for the amounts claimed.



Thomas Osborne Chair



Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: January 5, 2021

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

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**RESOLUTION NO. 1 – 2021
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Member of the Board of Legislators.

RESOLVED that the claims presented for payment in the total amount of \$ 728,628.50 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 Chartrand, and adopted on the 5th day of January, 2021 by the following roll call vote:

AYES: King, Kulzer, Chartrand, Burns, Hathway, Virkler, Gilbert, Moroughan, Osborne, Dolhof

NAYS:

ABSENT:

**RESOLUTION NO. 2 – 2021
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 2021.

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

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 5th day of January, 2021.

**RESOLUTION NO. 3 – 2021
RESOLUTION APPROVING THE FORM AND THE AMOUNT OF
A BLANKET UNDERTAKING COVERING OFFICERS,
CLERKS AND EMPLOYEES OF LEWIS COUNTY**

Introduced by Legislator Thomas Osborne, Member of the Board of Legislators.

PROCEEDINGS 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 Chartrand, seconded by Legislator Virkler, and adopted on the 5th day of January, 2021.

**RESOLUTION NO. 4 – 2021
RESOLUTION WAIVING THE NEED FOR A SURETY BOND
ON THE PART OF THE CHAIRMAN OF THE
BOARD OF LEGISLATORS**

Introduced by Legislator Thomas Osborne, 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.

JANUARY 5, 2021

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 Chartrand, seconded by Legislator Virkler, and adopted on the 5th day of January, 2021.

**RESOLUTION NO. 5 – 2021
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, 2021 through December 31, 2021 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 Chartrand, seconded by Legislator Virkler, and adopted on the 5th day of January, 2021.

**RESOLUTION NO. 6 – 2021
RESOLUTION TO EXTEND AUTHORIZATION TO
CANARX SERVICES, INC. AS
LEWIS COUNTY HEALTH INSURANCE PLAN VENDOR**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, 2021 through December 31, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 5th day of January, 2021.

**RESOLUTION NO. 7 - 2021
RESOLUTION TO APPROPRIATE FUNDS
Information Technology Department**

Introduced by Legislator Thomas Osborne, Member of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget transfer is hereby approved in the Information Technology Department accounts. This transfer will move funds from Project HAE Capital Equipment H0990100 499900 balance \$88,179.00. The intent of this transfer is to have the funds available in the IT operating equipment line to make purchases of computer equipment for other County Departments throughout 2021 as the need arises:

Increase Revenue:

A0100000 350310 Interfund transfers	\$10,000.00
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Increase Expense:

A0168000 221700 IT Computers	\$10,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 5th day of January, 2021.

**RESOLUTION NO. 8 - 2021
RESOLUTION AUTHORIZING CONTRACTS BETWEEN THE**

JANUARY 5, 2021

**COUNTY OF LEWIS AND NEW YORK STATE
OFFICE OF INDIGENT LEGAL SERVICES
(GRANT DISTRIBUTION# 10 - Contract # C100022)**

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

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 notice of a grant award from the New York State Office of Indigent Legal Services in the amount of \$56,964.00 (“Distribution # 10, Contract Number C100022”), for provision of funds to assist the County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in the grant contract; and

WHEREAS, the Board of Legislators wishes to accept the grant and enter into the contract for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes and approves the grant contract by and between the County of Lewis and New York State Office of Indigent Legal Services to provide grant funds in the amounts of \$56,964.00 (Distribution # 10) to assist the County in improving the quality of indigent legal services provided.

Section 2. That the term of Contract No. C100022 is effective and retroactive to January 1, 2020 through December 31, 2022.

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 said agreement and any amendments and 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 Chartrand, seconded by Legislator Virkler, and adopted on the 5th day of January, 2021.

**RESOLUTION NO. 9 – 2021
RESOLUTION WITH REFERENCE TO VICE-CHAIRMAN
OF LEWIS COUNTY BOARD OF LEGISLATORS**

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

PROCEEDINGS 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 2021.

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

Moved by Legislator Osborne, seconded by Legislator Hathway, and adopted on the 5th day of January, 2021.

**RESOLUTION NO. 10 - 2021
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO PUBLIC HEALTH AGENCY**

Introduced by Legislator Andrea Moroughan, Member 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 staff;

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 and authorize the following temporary positions, commencing January 5, 2021 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 rates:

<u>TITLE</u>	<u>STATUS</u>	<u>COMPENSATION RATE</u>
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JANUARY 5, 2021

Public Health Program Assistants (2)	Temporary Per Diem	\$18.00/hour
Public Health Nurse	Temporary Per Diem	\$29.21 – \$32.90/hour

Section 2. That this resolution shall take effect immediately.

Moved by Legislator King , seconded by Legislator Virkler .

Legislator Kulzer discussed the current pandemic and thought it would be more appropriate to change the number of Public Health Program Assistants from two (2) to five (5).

Legislator Kulzer made a motion to amend the above resolution from two (2) Public Health Program Assistants to five (5) Public Health Program Assistants, seconded by Legislator Hathway and carried.

There was discussion on increasing the Public Health Nurse position however Ryan pointed out that it has been incredibly difficult to fill those positions. If there is a need in the future, it can be re-addressed.

The resolution was then adopted.

OTHER BUSINESS:

There being no other business to come before the Board, the meeting adjourned at 6:12 p.m. on motion by Legislator Chartrand, seconded by Legislator Kulzer and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**REGULAR MEETING
February 2, 2021**

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 virtually as well as 8 other persons present.

Chairman Dolhof lead the Pledge of Allegiance to the Flag.

Chairman Dolhof welcomed Congresswoman Elise Stefanik and praised her for working tirelessly and advocating for Lewis County as well as the North Country Region as a whole.

Congresswoman Stefanik thanked Chairman Dolhof for the opportunity to connect with the Lewis County Legislators and update them. Last year she advocated for multiple Covid relief packages, one of which passed at the end of December, offers \$325 billion for small business through the Paycheck Protection Program (PPP) funding; \$5 billion to assist NYS Schools in the year 2021; \$170 million to assist Higher Education institutions; \$140 million for Hospitals in the North Country. There is a legislative issue that is being worked on in order to maintain the Critical Care Access designation for Lewis County General Hospital through a bipartisan bill which she reintroduced and will continue to advocate strongly for its adoption.

Congresswoman Stefanik gave an update on the Canadian border which has impacted many business and residents. She is advocating for more certainty and strongly metrics in a bipartisan effort to safely reopen the border, making sure CDP officers are vaccinated. The bill that was passed in December provides billions of dollars for vaccines. Vaccine distribution continues to be a problem for the North Country as the State is making the decision on where and how the vaccines are distributed and where the State vaccine sites are. She will continue to put pressure on the States Elected officials to make sure the vaccine is being distributed fairly to rural communities in the North Country. She will be reaching out to the President to request that cancer patients be prioritized in the CDC guidance with relation to vaccinations. There is ongoing discussion on the Democratic Covid relief package versus the Republican Covid relief package, both of which include aid to states and local government.

Legislator Hathway thanked Congresswoman Stefanik and her office staff for helping a resident of his district who reached out for help due to a real need. Congresswoman Stefanik reiterated that anyone who needs assistance can reach out to her office at any time.

Upon the request of Chairman Dolhof the Clerk of Board read Resolution No. 30-2021 entitled "Resolution in Support of Proposed "Protecting Rural Access to Care Act" Legislation introduced and Co-Sponsored by Congresswoman Stefanik and Congressman Delgado" which will be moved on later in the meeting. Chairman Dolhof thanked Congresswoman Stefanik again for joining the meeting and then excused her.

Chairman Dolhof declared the January 5, 2021 meeting minutes approved by general consent.

FEBRUARY 2, 2021

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
Thomas Osborne
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: February 2, 2021

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

PRESENTATION OF COMMUNICATIONS AND NOTICES:

A resolution was received from Cattaraugus County Opposing Closure of Gowanda Correctional Facility

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the January 2021 Treasurer's report and Highway & Solid Waste Audit reports. Real Property Director Candy Akin and Country Treasurer Eric Virkler have filed approved applications for 2020 corrected tax rolls for property owners Kurt & Penny Dittl.

Brian Mooney submitted he December 2020 Sealer of Weights and Measurers activity reports which have been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator King made a motion to authorize Highway Superintendent Timothy Hunt to send out an RFP for stone & gravel bids, seconded by Legislator Chartrand and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to refill one (1) full-time Deputy Sheriff position effective immediately, seconded by Legislator Osborne and carried. Legislator Burns opposed.

Legislator King asked County Manger Ryan Piche for clarification on when this position came up. Ryan explained it was at the same time the full-time position came up. Legislator King made a motion to authorize Sheriff Carpinelli to refill one (1) part-time Deputy Sheriff position effective immediately, seconded by Legislator Osborne and carried. Legislator Burns opposed.

Legislator King made a motion to authorize District Attorney Leanne Moser to refill one (1) full-time Assistant District Attorney effective immediately, seconded by Legislator Virkler and carried. Legislator Gilbert abstained.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator King clarified that the reason it took so long to refill the Sheriff's positions was that there was additional information requested from him and discussion on whether the position should be refilled or if the funds should be spent on hiring someone who could assist with the pandemic.

Legislator Moroughan made a motion to authorize Social Services Commissioner Jennifer Jones to refill one (1) full-time Caseworker position due to resignation effective immediately, second by Legislator Chartrand and carried.

Legislator Moroughan made a motion to authorize Social Services Commissioner Jennifer Jones to refill one (1) full-time Fraud Investigator position due to resignation effective immediately, seconded by Legislator Virkler and carried.

Legislator Moroughan made a motion to authorize Social Services Commissioner Jennifer Jones to refill one (1) full-time Employment and Training Assistant position effective immediately, seconded by Legislator Hathway and carried.

Lewis County General Hospital CEO Jerry Cayer reported that 51% of the Hospital staff have been vaccinated, 35% have signed a declination letter stating they do not wish to get the vaccine; 12% are currently undecided; and 2% are no longer employed with the Hospital. Mr. Cayer plans to follow up with each of the undecided employees. The second dose clinics are going very well and Public Health has been great to partner with on this.

Mr. Cayer spoke about the Medicare Compare website which allows residents to view quality reports, which address both quality and patient satisfaction for services provided at the hospital. Lewis County General Hospital is currently receiving 3 out of 5 stars, which shows the improvement in 2020.

COUNTY MANAGER REPORT:

Ryan reported that our counties Covid active cases went from 250 down to 125 cases, he attributed this to community members and the commercials that the Board approved putting out. To date there have been over 2,000 vaccines given to Lewis County residents. Public Health received 300 additional vaccines this week and there will be more information coming out on how residents can access those.

The State Budget has been watched closely and the fiscal year end as of March 31, 2021. The state still has a 4.8 billion dollar shortfall, but the good news for counties is that the 20% withholding on various funding streams from the State will change to only a 5% cut. The State is counting on 1.2 billion dollars in Medicaid savings. The 2022 fiscal year begins on April 1, 2021 and that budget has a 15 billion dollar gap, which will be decreased by 3.6 billion dollars in spending cuts including 5% cuts to local governments; delayed implementation of tax cuts, which should equate to a savings of 2 billion dollars; and 4.5 billion dollars in unrestricted aid, although they are asking the Federal Government for the full 15 billion.

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There will be a 20% reduction in AIM program, which will hurt the Towns and Villages as it was just cut two years ago by 20%. The State sales tax diversion payment for the AIM program will still remain the same for the counties. The Governor has proposed to legalize adult use cannabis, which will require in depth discussions locally on how to handle this for different zoning. One benefit of the legalization is that there will be local sales tax on this which could create additional revenue.

Another positive in the proposed 2022 State budget is that it will renew the ISEP funding to assist those residents that are on a waiting list for home care assistance. Another thing to look out for is that the State is going to extend prevailing minimum wages for renewal energy projects greater than 25 megawatts, like wind and solar, which will affect upcoming projects in Lewis County. The Downtown Revitalization Initiative (DRI) funding has been restored, so we will be submitting another application in hopes of receiving the award for our region.

One update from the Federal Government is the expansion of FMAP funding, which is basically our share of Medicaid Administration funds, and it is being expanded into Quarter 3 of 2021 with an enhanced payment to county governments. This will also reduce our IGT payments from 50% down to 43%. The Governor is proposing regional jails and a 1% cut in Medicaid across the board. There are many agencies in Lewis County who depend on Medicaid reimbursement.

Legislator Kulzer asked if the County was moving forward with the clinic this week and Ryan explained that they were, but the details are still being worked out and a press release will go out to the public prior to the event. Legislator Kulzer stated that he would be volunteering at the clinic. Legislator Osborne asked if the number of vaccines that were given included the Kinney's numbers as well, Ryan responded that it did. Chairman Dolhof clarified that the press release for the vaccine clinic was moved from tomorrow to Thursday.

COUNTY TREASURER REPORT:

Treasurer Eric Virkler highlighted the sales tax information with a 2020 total to date of \$12,847,730.74, which is just a little below the total for 2019 but there is one last payment expected which could surpass the 2019 amount. Eric explained making a one time change that would start including the last payment of the previous year into the current year which is how NYSAC budgets. It would keep things consistent with NYSAC but he will check with the Auditors to see if this makes sense as it is a change to past accounting practices.

The investments seem to be doing well and hopefully we will see the results of those changes in the upcoming months. Legislator Hathway asked that if Eric presents this sales tax payment change to please explain what the advantages would be. Eric explained how it was done in the past and that it would just be changing it to follow the way NYSAC reports payments to keep it consistent going forward.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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**RESOLUTION NO. 11 – 2021
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 \$ 1,992,093.07 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator King, seconded by Legislator Kulzer, and adopted on the 2nd day of February, 2021 by the following roll call vote:

AYES: Chartrand, Gilbert, Moroughan, Burns, Kulzer, Virkler, Osborne, Hathway, King, Dolhof

NAYS:

ABSENT:

**RESOLUTION NO. 12 - 2021
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
FOURTH COAST INC-ST. LAWRENCE ENGINEERING DPC
FOR THE PUBLIC SAFETY BUILDING HVAC SYSTEM PROJECT**

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

WHEREAS, the Buildings & Grounds Supervisor sought input from the General Services Committee to have Fourth Coast Inc.- St. Lawrence Engineering, DPC from Clayton, NY, to provide professional engineering consultation services for a study and report phase of the PSB HVAC system Project, to include a review the BC&A report on the PSB HVAC system, review and evaluation of the system with options for boiler replacement, AC equipment replacement, and to provide a summary report and cost estimates for alternatives, as more fully set forth in their proposal letter dated July 30, 2020, at an anticipated cost not to exceed \$20,000.00. The proposal does not include fees for design, bidding documents and construction phase engineering/consultant work; and

WHEREAS, the committee authorized moving forward with Fourth Coast to review and inspect the HVAC system with cost estimates for upgrade or replacement alternatives; and

WHEREAS, the Board of Legislators wishes to accept such professional services and enter into an agreement for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That the Board of Legislators hereby approves an Agreement between the County of Lewis and Fourth Coast Inc – St. Lawrence Engineering DPC, with offices at 745 Graves Street, Clayton, NY 13624, to provide a Study and Report Phase of professional scope of services on the PSB HVAC system, including, but not limited to review of design drawings, data, airflow data and capacities, temperature controls, indoor air quality and purification, boiler function and efficiency, to be summarized in a report with cost estimates for alternatives.

Section 2. That the term of the agreement is retroactive to August, 2020 and shall continue through March, 2021, at a cost not to exceed \$20,000.00, based upon hourly rates set forth in the proposal dated July 30, 2020.

Section 3. That the Chairman, Vice-Chairman of the Board of Legislators, or the County Manager 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 Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 13 – 2021
RESOLUTION APPOINTING MEMBER TO
SUBSTANCE USE DISORDER SUB-COMMITTEE OF
COMMUNITY SERVICES BOARD**

Introduced by Legislator Andrea Moroughan, 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 Scott Mathys of Lowville, NY as a member of the Substance Use Disorder Sub-Committee of the 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 Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

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**RESOLUTION NO. 14 - 2021
RESOLUTION APPROVING PLACEMENT OF A STOP SIGN ON THE PARKER
ROAD AT THE INTERSECTION OF COUNTY ROUTE 27
IN THE TOWN OF MONTAGUE**

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

WHEREAS, pursuant to NYS Vehicle and Traffic Law § 1651, the County Superintendent of Highways may, *inter alia*, designate any intersection of a county road with another county road or town highway as a stop intersection and order like signs at the entrances to such intersection; and

WHEREAS, the General Services Committee has reviewed with the Highway Superintendent a proposed change to the orientation of a road sign at the intersection of Parker Road and County Route 27 in the Town of Montague; and

WHEREAS, the Town of Montague, by Resolution, authorized the placement of a stop sign on the Parker Road where it intersects with County Route 27, and the County Superintendent of Highways supports and recommends placement of the stop sign at that location upon approval of the Board of Legislators;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and directs the placement of a stop sign on the Parker Road where it intersects with County Route 27 in the Town of Montague.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 15 - 2021
RESOLUTION TO TRANSFER FUNDS
County Highway Department**

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

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget transfer be approved in the Highway Department accounts for various annual lease payments, funds will be transferred from Project HAD Capital Equipment H0990100 499900:

Increase Revenue:

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DM513000 350310 \$132,051.16

Increase Expense:

DM513000 223300 \$132,051.16

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

Moved by Legislator Kulzer, seconded by Legislator Kulzer, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 16 - 2021
RESOLUTION ESTABLISHING AND ADOPTING
COVID-19 PANDEMIC ACCRUED BENEFIT TIME POLICY**

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

WHEREAS, as a result of COVID-19 pandemic and executive orders affecting the Lewis County government workforce, a number of employees who have assisted in the pandemic response have been unable to utilize accrued vacation and personal benefit time; and

WHEREAS, the attached policy, which addresses the options employees who have assisted in the pandemic response and subsequently lost accrued vacation and personal benefit time, 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 COVID-19 Pandemic Accrued Benefit Time 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 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 Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

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Lewis County COVID-19 Pandemic Accrued Benefit Time Policy

The intent of this policy is to provide dedicated employees who have assisted in the COVID-19 pandemic response and have maxed out on the accrued vacation and personal benefit time in 2020 with the ability to recover that foregone time. Notwithstanding the foregoing, employees should be mindful of the personal benefits of using vacation time as provided by the County, even during the pandemic demands so that vacation time is not lost.

The current Lewis County Vacation Policy allows employees to accumulate vacation time as follows: Accumulated vacation time will be permitted up to a maximum of 30 days which equals 210 hours for 35 hour a week full-time employees and 240 hours for 40 hour a week full-time employees. The maximum accumulated vacation time for part-time employees shall be 12 days which equals 84 hours for 7 hour per day employees and 96 hours for 8 hour per day employees.

Employees who have assisted in the pandemic response and subsequently lost accrued vacation and personal benefit time will have the opportunity to:

(A) Be eligible to receive the lost accrued vacation and personal benefit time as a result of COVID-19 work from the time Lewis County entered into a State of Emergency, March 16, 2020* in a one-time lump sum payment. Employees will be required to fill out a payout request form (due by 2/12/21) to be approved by their Department Head, the Human Resource Director, and the County Manager.

A separate check will be issued with payroll for this activity. This payment will be considered an additional payment and will be taxed accordingly; **OR**

(B) Be eligible to rollover the lost accrued vacation and personal benefit time from March 16, 2020* into a separate vacation bank. If not used, this accrued time will expire on December 31, 2021. Employees seeking to create a time bank will be required to fill out a request form (due by 2/12/21) to be approved by their Department Head, the Human Resource Director, and the County Manager.

Additionally, employees who assist in the pandemic response and have reached their maximum accrual for vacation time will have the opportunity for a one-time option to sell back one week (5 days) of vacation time to allow for continued accruals. An employee seeking to sell back time will be required to fill out a request form (2/12/21) to be approved by their Department Head, the Human Resource Director, and the County Manager.

A separate check will be issued with payroll for this activity. This payment will be considered an additional payment and will be taxed accordingly.

***Date of eligibility for lost time will be no earlier than 3/16/20 and will not extend beyond 2/12/21, and will be determined by the employee's role and time spent on COVID-19 efforts that prevented the use of vacation time. The final decision will be with the County Manager.**

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**RESOLUTION NO. 17 - 2021
RESOLUTION TO APPROPRIATE 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 2021 budget appropriation take place to the Capital Data Processing account, with funds being transferred from A0990100 994000:

Increase Revenue:
H0990100 3530310 \$ 50,000
Project HAE

Increase Expense:
H0990100 499900 \$ 50,000
Project HAE

Section 2. That the following 2021 budget transfer be approved in the Information Technology Department accounts for purchases related to a network server project with an estimated cost of \$128,000.00, with funding to come from Project HAE Capital Equipment H0990100 499900:

Increase Revenue:
A0168000 350310 Interfund transfers \$128,000.00

Increase Expense:
A0168000 221700 IT Computer \$119,500.00
A0168000 490100 IT Prof Services \$ 8,500.00

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 18 - 2021
RESOLUTION TO SET A PUBLIC HEARING WITH REFERENCE TO
INCLUSION OF AGRICULTURALLY VIABLE LAND INTO THE CERTIFIED
AGRICULTURAL DISTRICT # 6**

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

WHEREAS, the Lewis County Board of Legislators, in accordance with § 303-b of the Agricultural and Markets Law, designated November 15 to December 15 as the annual thirty

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(30) day review period in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District; and

WHEREAS, the Lewis County Planning Department received two (2) applications for inclusion of properties into Agricultural District # 6 located in the Town of New Bremen, Tax Map Parcel No. 165.00-01-23.000 owned by Charles R. Farney, John A. Farney and Timothy J. Baker (approximately 47.3 acres); and Tax Map Parcel No. 148.00-01-11.120 owned by Timothy J. Baker and Amy Baker, (approximately 37.12 acres); and

WHEREAS, the Planning Department duly forwarded the applications to the Lewis County Agricultural and Farmland Protection Board, who conducted a site visit to verify that the parcels proposed are “viable agricultural land,” and meet the eligibility requirements for inclusion into a Certified Agricultural District and to thereafter report to the Lewis County Board of Legislators with a recommendation for or against inclusion; and

WHEREAS, in accordance with § 303-b of the Laws of 2003 amended NYS Agricultural and Markets Law, the Lewis County Board of Legislators seeks to set the public hearing to consider these requests;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on March 2, 2021 at 5:00 p.m. for the purpose of receiving public comment to consider the requests and recommendations of the Lewis County Agricultural and Farmland Protection Board, for inclusion of the two (2) properties located in the Town of New Bremen, Tax Map Parcel No. 165.00-01-23.000 owned by Charles R. Farney, John A. Farney and Timothy J. Baker (approximately 47.3 acres) and Tax Map Parcel No. 148.00-01-11.120 owned by Timothy J. Baker and Amy Baker (approximately 37.12 acres), into Agricultural District # 6.

Section 2. That the hearing will be held virtually at the Board’s regular meeting on Tuesday, March 2, 2021 at 5:00 p.m. Anyone wishing to comment should go to the county’s webpage at www.lewiscounty.org and look in the calendar section at the bottom of the page for the link to join the meeting (the link will be posted the day before the scheduled meeting).

Section 3. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 19 - 2021
RESOLUTION TO SET PUBLIC HEARINGS TO
OBTAIN PUBLIC INPUT WITH REFERENCE TO TWO SEPARATE**

FEBRUARY 2, 2021

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS

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

WHEREAS, the County of Lewis desires to submit two (2) Consolidated Funding Applications for Community Development Block Grants (CDBG) for a microenterprise grant fund program in an amount not to exceed \$200,000.00, and for CDBG Community Planning funding for countywide Housing Needs Assessment and Market Analysis in order to develop effective strategies that address current and future housing needs for all income levels; and

WHEREAS, citizen participation requirements of the programs mandate the County to conduct public hearings prior to submission of applications for the purpose of obtaining citizens' views and responding to proposals and questions; and

WHEREAS, the Board of Legislators wishes to set the simultaneous public hearings on these applications to obtain the views of citizens on proposed funding prior to submission of the applications;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby sets a virtual public hearing (as a result of temporary restrictions on large gatherings due to COVID-19) to solicit the views of County of Lewis citizens regarding: 1) Consolidated Funding Applications for Community Development Block Grant applications for a small business loan/grant in an amount not to exceed \$200,000.00; and 2) CDBG Community Planning funding for a countywide Housing Needs Assessment and Market Analysis in an amount not to exceed \$50,000.00 (with the required 5% cash local match paid from 2021 Community Development Funds).

Section 2. That the hearings will be held virtually and simultaneously at the Board's regular meeting on Tuesday, March 2, 2021 at 5:00 p.m. Anyone wishing to comment should go to the county's webpage at www.lewiscounty.org and look in the calendar section at the bottom of the page for the link to join the meeting (the link will be posted the day before the scheduled meeting).

Section 3. That public notice of the hearings shall be advertised in accordance with law at least seven (7) days prior to the hearing date.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

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**RESOLUTION NO. 20 - 2021
RESOLUTION APPOINTING MEMBER 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;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints Jaylyn Yuhas-Heames, Executive Director of Snow Belt Housing Company, Inc. to replace Cheryl L. Shenkle-O'Neill on the Lewis County Fair Housing Task Force.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 21 - 2021
RESOLUTION APPROPRIATING FUNDS FOR 2020/2021 STOP DWI PROGRAM
AND AUTHORIZING STIPEND FOR ADMINISTRATIVE ASSISTANT SERVICES**

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

WHEREAS, Vehicle & Traffic Law § 1197 authorizes the development of a program to coordinate the efforts of interested parties and agencies in the formulation and execution of alcohol traffic safety programs including enforcement, adjudication, rehabilitation and education; and

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WHEREAS, in 2019, the Lewis County Board of Legislators designated Matthew Morrow (now Director of Probation) as the DWI Coordinator for Lewis County, and approved a stipend of \$5,000.00 in monthly installments to be paid to him for said additional services; and

WHEREAS, the County STOP-DWI program is completely funded by revenues received from DWI fines and grant funding from the NYS STOP-DWI Foundation, Inc. The county program is submitted to the State for approval, with monies under the program only to be spent on DWI related expenses and administration of the program; and

WHEREAS, in October, 2020, the Probation Director was advised that the county program would be entitled to \$17,000.00 in grant funds for use under Crackdown Enforcement activities for the period from October, 2020 through September, 2021, which the Director seeks to appropriate at this time; and

WHEREAS, the 2021 Probation Department budget included a stipend of \$1,200.00 in compensation to be paid to the Administrative Assistant, for the additional administrative services provided under the NYS STOP-DWI program, to be paid in monthly installments commencing and retroactive to January, 2021; and

WHEREAS, the Lewis County Board of Legislators seeks to appropriate the NYS crackdown grant funds and authorize the administrative stipend;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves a 2021 stipend of \$1,200.00 to be paid in monthly installments retroactive to January, 2021, to the Administrative Assistant in the Probation Department, to perform such administrative tasks as outlined in the STOP-DWI program developed by the Probation Director and approved by New York State, consistent with VTL § 1197.

Section 2. That the following appropriation take place in the STOP DWI accounts for NYS STOP-DWI October, 2020 – September, 2021 “Crackdown” grant funds:

Increase Revenue:

A0331500 333110 Traffic Safety Grant	\$17,000.00
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Increase Expense:

A0331500 492400 DWI Safety Grant	\$17,000.00
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Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer , seconded by Legislator Osborne , and adopted on the 2nd day of February, 2021.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 22 - 2021
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF PROBATION AND
RUBENZAHL, KNUDSEN & ASSOCIATES PSYCHOLOGICAL SERVICES, P.C.**

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

WHEREAS, the Lewis County Probation Department (“LCPD”) wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals and psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Lewis County Probation Department, and Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals and psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required.

Section 2. That the term of this agreement shall be January 1, 2021 through December 31, 2021 at the following fees:

SEX OFFENDER ASSESSMENT AND THERAPY	PSYCHOLOGICAL SERVICES FOR JUVENILE DELINQUENTS
\$75.00 per session for group therapy	\$90.00 per hour for therapy
\$110.00 per hour for individual therapy	\$125.00 per hour for psychological evaluations
\$550.00 per completed sex offender assessment (Youth & Adult)	\$75.00 per hour for clients receiving group treatment
	\$150.00 per hour for expert court testimony
	\$90.00 per session, to include RKPS presence at monthly clinical treatment team meeting if applicable

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

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

Moved by Legislator Kulzer , seconded by Legislator Osborne , and adopted on the 2nd day of February, 2021.

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**RESOLUTION NO. 23 – 2021
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO PUBLIC HEALTH AGENCY**

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 staff;

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 and authorize the following temporary positions, commencing February 3, 2021 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 rates:

<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 Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 24 - 2021
RESOLUTION AUTHORIZING PUBLIC PARKING LOT LEASE
WITH DIANA LAND MANAGEMENT, LLC**

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

WHEREAS, Diana Land Management, LLC is the owner of certain real property, located near the intersection of Goose Pond Road and Snowmobile Trail S84B in the Town of Diana, a portion of which is used as a public parking area for recreational users; and

WHEREAS, the County desires to enter into an agreement with the owner to lease the designated area on its property as a public parking area for recreational users, so that the recreational public can have a safe parking area off of the road; and

WHEREAS, the owner has graciously offered the property for lease by the County for this public purpose without monetary consideration;

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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves a lease between Diana Land Management, LLC and the County for the purpose of using the following premises as recreational public parking, to commence upon execution of the agreement and continue until mutual agreement otherwise:

On a portion of the land owned by Diana Land Management, LLC located at the intersection of Goose Pond Road and Snowmobile Trail S84B, identified as Tax Map No.: 021.00-01-06.200, and being approximately .25 acres.

Section 2. The Chairman or the Vice-Chairman be and the same is hereby authorized to execute and deliver such agreement upon such terms as may be approved by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 25 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND TRANSITIONAL LIVING SERVICES
OF NORTHERN NEW YORK**

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

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

WHEREAS, in such capacity, the Sheriff is charged with providing mental health counseling or other related mental health services for the inmates in the Sheriff's custody; and

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

WHEREAS, the Sheriff requests the Board of Legislators authorize a renewal contract with Transitional Living Services of Northern New York for said service;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract by and between the County of Lewis and Transitional Living Services of Northern New York, to provide mental health counseling or other related mental health services for the inmates in the Sheriff's custody

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for the term beginning January 1, 2021 and ending December 31, 2021 at a cost of \$150.00 per hour with two (2) regularly scheduled sessions on Tuesday's 8:00 a.m. to 9:00 a.m., and Thursday's from 8:00 a.m. to 10:00 a.m.; together with other terms and provisions set forth in the agreement.

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

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 26 - 2021
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 2021 budget amendments take place in the Solid Waste Department accounts for various changes to improve accounting information within Munis:

Increase Expenses:

ES816000 490500 SW Recycling Exp	\$ 70,000.00
ES816000 490700 SW Refuse Exp	\$940,000.00

Decrease Expenses:

ES816000 490100 SW Professional Serv	\$940,000.00
ES816000 490900 SW Misc Exp	\$ 56,288.00
ES816000 430300 SWUtilities	\$ 1,000.00
ES816000 430400 SW Fuel Oil	\$ 2,000.00
ES816000 440700 SW Oper Supplies	\$ 5,480.00
ES816000 460300 SW Bldg Repairs	\$ 1,000.00
ES816000 460500 SW Equip Repairs	\$ 1,000.00
ES816000 470100 SW Vehicle Repairs	\$ 3,232.00

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

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**RESOLUTION NO. 27 – 2021
RESOLUTION APPOINTING MEMBER TO
TRAFFIC SAFETY BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Timothy Hunt, Lewis County Highway Superintendent, Lowville, New York 13367, to fill the un-expired term of Warren Shaw as a member of the Lewis County Traffic Safety Board:

Section 2. That the term of said appointment shall be effective from February 3, 2021 through December 31, 2021.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 28 – 2021
RESOLUTION TO TRANSFER FUNDS
ENTERPRISE VEHICLE LEASES**

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

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget transfers are hereby approved in Department Accounts for annual Enterprise vehicle lease payments, utilizing Project HAD Capital Equipment H0990100 499900 (for General Fund and Highway Fund only):

GENERAL FUND

Increase Revenue:

A0100000 350310 Inter-fund transfers	\$13,950.00
A0601000 336100 DSS State Admin	\$13,950.00
A0601000 346100 DSS Fed Admin	\$27,900.00
A0100000 350310 Inter-fund transfers	\$9,300.00
A0100000 350310 Inter-fund transfers	\$4,500.00
A0100000 350310 Inter-fund transfers	\$17,500.00
A0100000 350310 Inter-fund transfers	\$14,700.00
A0100000 350310 Inter-fund transfers	\$10,500.00
A0100000 350310 Inter-fund transfers	\$7,800.00
A0100000 350310 Inter-fund transfers	\$58,000.00
A0100000 350310 Inter-fund transfers	<u>\$5,900.00</u>

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	\$184,000.00
<u>Increase Expense:</u>	
A0601000 223400 DSS Vehicle Lease	\$55,800.00
A0314000 223400 Probation Vehicle Lease	\$9,300.00
A0101000 223400 Legislative Vehicle Lease	\$4,500.00
A0677200 223400 Office For Aging Vehicle Lease	\$17,500.00
A0401300 223400 Public Health Vehicle Lease	\$14,700.00
A0362000 223400 Building Codes Vehicle Lease	\$10,500.00
A0162000 223400 Bldgs & Grnds Vehicle Lease	\$7,800.00
A0311000 223400 Sheriff Vehicle Lease	\$58,000.00
A0661000 223400 Weights and Measures Veh Lease	<u>\$5,900.00</u>
	\$184,000.00

HIGHWAY FUND

<u>Increase Revenue:</u>	
DM513000 350310	\$118,500.00

<u>Increase Expense</u>	
DM513000 223400	\$118,500.00

SOLID WASTE ENTERPRISE

<u>Increase Revenue</u>	
ES816000 350310	\$ 6,300.00

<u>Increase Expense</u>	
ES816000 223400	\$ 6,300.00

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 29 - 2021
RESOLUTION TO WAIVE ALL MARCH, 2021 HEALTH INSURANCE PREMIUM
CONTRIBUTIONS FOR ALL PARTICIPANTS IN
THE LEWIS COUNTY HEALTH PLAN**

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

WHEREAS, the County of Lewis established and maintains the Lewis County Health Plan; a self-funded health insurance program for its employees and eligible retirees; and

WHEREAS, pursuant to Resolution No. 512-2018, the Lewis County Board of Legislators approved and adopted the Plan Administrator's (Treasurer) and County Manager's recommendation for an annual analysis and review of the LC Health Plan by the county

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administration in consultation with its Third Party Administrators, based upon an analysis of medical and pharmacy claims along with budget data on national and regional trends; and

WHEREAS, the health insurance committee met with its Third Party Administrators, with the Treasurer reporting that the internal service fund has a balance of approximately \$8,200,000.00, with a recommended minimum of \$4,000,000; that the 2021 budget did not increase the health care premiums; and that a waiver of premium payments by all participants for two (2) pay periods in March, 2021 was recommended and warranted; and

WHEREAS, the health insurance committee requests that the Lewis County Board of Legislators authorize a waiver of premium contributions to the health insurance plan for the pay periods in March, 2021 for all participants, including active employees (Hospital and County), eligible retirees, and the County/Hospital as employers; all of whom are all participants in the plan;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and authorizes a waiver of premium contributions to the Lewis County Health Plan by all participants in the plan for the month of March, 2021 (two bi-weekly pay periods).

Section 2. That the Treasurer's office is directed to make such adjustments as indicated by this waiver.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

**RESOLUTION NO. 30 - 2021
RESOLUTION IN SUPPORT OF PROPOSED "PROTECTING RURAL ACCESS TO
CARE ACT" LEGISLATION INTRODUCED AND CO-SPONSORED BY
CONGRESSWOMAN STEFANIK AND CONGRESSMAN DELGADO.**

Introduced by Legislator Philip Hathway, District 1 Representative.

WHEREAS, the Lewis County General Hospital/ Lewis County Health System (LCHS) plays a vital role in providing local access to critical health care services for Lewis County residents and their neighbors in other North Country communities; and

WHEREAS, without the Critical Access Hospital designation and certification, LCHS is subject to the loss of enhanced reimbursement rates, which are critically important and essential to LCHS being able to operate and provide healthcare services in our rural community. Without this designation and financial support, Lewis County patients would have to travel long distances to receive vital care; and

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WHEREAS, in 2015 the Centers for Medicaid and Medicare Services (CMS), made a policy change that narrows the eligibility criteria for hospitals to certify or recertify as Critical Access Hospital (CAH) under the 15-mile, secondary road standard. The distance change in the regulations cause the North Country rural hospitals who provide these essential healthcare services to be in danger of losing their certification/recertification and funding as a Critical Access Hospital, including LCHS; and

WHEREAS, the proposed legislation introduced by Congresspersons Stefanik and Delgado, known as the “Protecting Rural Access to Care Act” (PRACA) will permanently restore the pre-2015 distance standard and requirement for Critical Access Hospitals designations for certification or recertification; will require notice and comment to be held before any future regulation changes to designation criteria; and will ensure that unless any formal update to distance criteria is finalized, hospitals seeking Critical Access Hospital certification/recertification will proceed under the pre-2015 standard; and

WHEREAS, the LCHS Chief Executive Officer and the Board of Managers are in favor of this legislation and urge the Lewis County Board of Legislators to voice their support of same as well;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby supports the “Protecting Rural Access to Care Act”, and applauds Congresswoman Stefanik and Congressman Delgado in co-sponsoring this legislation, which will allow the LCHS to be recertified as a Critical Access Hospital based upon distance standards set prior to 2015, and thereby allow LCHS to receive vital enhanced reimbursement rates necessary for the hospital to continue operations and healthcare services in rural Lewis County.

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

Section 3. That the Clerk of the Board is directed to forward a certified copy of this resolution to US Congresswoman Elise Stefanik, US Congressman Antonio Delgado, the Majority and Minority Leaders of the US Senate and US House of Representatives, and all others deemed appropriate by the Board of Legislators.

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 2nd day of February, 2021.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn the meeting at 5:54 p.m., seconded by Legislator King and carried.

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**REGULAR MEETING
March 2, 2021**

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 virtually as well as 8 other persons present.

Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the February 2, 2021 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
Thomas Osborne
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: March 2, 2021

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

PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened the public hearing session at 5:04 p.m. on submitting a Community Development Block Grant application for the NYS Office of Community Renewal for a Countywide Housing Needs Assessment and Market Analysis; submitting a Community Development Block Grant application to the NYS Office of Community Renewal for a Microenterprise Grant Program; and Inclusion of Two (2) properties for Agricultural District #6.

The following information was given for the Community Development Block Grant public hearings: All comments received before and during this public hearing will be read into the record, however, comments may still be submitted up until March 4, 2021 at 5:00 p.m. to the Clerk of the Board at cassandramoser@lewiscounty.ny.gov or at 7660 North State Street, Lowville, NY 13367 in accordance with OCR guidelines.

Lewis County wishes to apply to the NYS Office of Community Renewal for funding through the Community Development Block Grant Program to develop a countywide Housing Needs Assessment and Market Analysis. This project will not only confirm and investigate existing housing issues, but it will define the appropriate solutions that address the county's needs. While housing needs for all income levels will be addressed, careful attention will be given to low-to moderate- income residents, including our seniors, homeless, disabled, labor force and young families. Recommendations from this study will provide public and private entities with the tools they need to leverage future grant initiatives and plan for future initiatives,

MARCH 2, 2021

projects and development. The Lewis County Department of Planning and Community Development would be responsible for the administration and implantation of this \$50,000 grant, if awarded.

A Housing Needs Assessment and Market Analysis are needed to evaluate Lewis County's current housing inventory and any gaps or challenges related to affordability, access, and adequacy. Approximately 37.1% of Lewis County residents qualify as low- and moderate-income according to the 2011-2015 ACS 5-year estimate. Housing costs often disproportionately burden LMI individuals. Thus, a key goal of the assessment is to measure affordable housing availability, as well as its proximity to transportation, employment opportunities, and other important services and amenities. Detailed information on housing stock age and condition will guide investment and outreach for programs involving renovations, energy efficiency improvements, and clean energy upgrades to reduce residential utility costs and meet New York State's ambitious climate goals.

Lewis County is applying for \$200,000 in CDBG Microenterprise funding to establish a grant program for microenterprises, small businesses and entrepreneurs looking to expand or start their businesses. If awarded, the program will provide grants between \$5,000 and \$35,000 to microenterprises who meet low-to-moderate income guidelines or can create a new job to be made available to a low-to-moderate income individual.

The Lewis County IDA will be the subrecipient and administrator of this program, as they are in the final stages of closing out the existing 2018 CDBG Microenterprise Grant Program. From this program, grant funds have benefitted three new small businesses, and three existing businesses with equipment purchases to expand or start their businesses. If this application is awarded, the IDA will continue to market the program to small businesses and entrepreneurs to expand services, products, and jobs within Lewis County.

There were no public comments made or received at this time.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

A card was received from the Lyons Falls Historical Association thanking the Board of Legislators for the \$1,000,000 budget appropriation. The January 28, 2021 minutes from the Intercounty Legislative Committee of the Adirondacks were received.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the February 2021 Treasurer's report and Highway & Solid Waste Audit reports. Real Property Director Candy Akin and County Treasurer Eric Virkler have filed approved applications for 2020 corrected tax rolls for property owners Crooked Lake Timber, LLC and Rensma Timberland, LP.

The 2020 Annual reports have been received from Board of Elections; Buildings & Grounds; Civil Service; Community Services; County Clerk; Emergency Management; Fire & Building Codes; Highway; Information Technology; Junkyard; Office For the Aging; Planning;

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Probation; Real Property Tax; Solid Waste; Recreation, Forestry & Parks; Treasurer; Veterans Services Agency; Weights & Measures; and Workers' Compensation.

Brian Mooney submitted the January 2021 Sealer of Weights & 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 approve the Insurance renewal package with Eastern Shore Associates through NYMIR for the period of April 5, 2021 through April 4, 2022 for a total premium of \$207,447.00 and to increase the Health Care Professional Liability deductible to \$25,000.00, seconded by Legislator Burns and carried.

Legislator King made a motion to authorize Highway Superintendent Timothy Hunt to send out an invitation for bid on hot asphalt and bulk oil, 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 of April 1, 2021 through March 31, 2022, seconded by Legislator Kulzer and carried.

Legislator King made a motion to award the low bid for crushing of stone to Bartell Sand & Gravel in the amount of \$4.75 per cubic yard for the period of April 1, 2021 through March 31, 2022, seconded by Legislator Kulzer and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to refill one (1) full-time Corrections Officer position due to retirement and any associated backfills effective immediately, seconded by Legislator Osborne and carried.

Legislator Moroughan made a to authorize Social Services Commissioner Jennifer Jones to re-fill one (1) full-time Senior Account Clerk position due to resignation effective immediately, seconded by Legislator Chartrand and carried.

Lewis County General Hospital CEO Jerry Cayer reported that the Building Project is in the Certificate of Need review process with the Public Health and Health Planning Council of the NYS Department of Health. This approval is required for the project to move forward and once approval is received it will take nearly two months to get all the appropriate signatures, but the project would be able to move forward. If the approval is not granted then the hospital would go before the Council in June, which would change the timetable of the project.

In order to not lose valuable time in the construction season the public announcement was posted and there was a pre-bid conference on February 23rd, a pre-bid walk through on February 27th, and bids are due by March 16th. It has been made clear to everyone interested in bidding that to move forward there has to be approval from the NYS Department of Health. The idea

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behind having this parallel process is so that if and when approval is given the project is still on the current timetable and not delayed, with construction starting yet this spring.

The project manager or Clerk of the Works is now called Resident Project Representative as they represent the owner interest during the construction. After receiving proposals and reviewing them with the Board of Managers Planning Committee, C&S Companies was awarded the project. The Board of Managers Planning Committee is chaired by Donald Musnicki and includes John Lehman, Philip McDowell, Karen Rennie, and Sue Ross which allows direct oversight at the committee level on this project.

Legislator Kulzer questioned where the hospital was on their Critical Access designation as he thought that was needed to move the project forward. Jerry Cayer responded that Lewis County Health Systems is still a Critical Access hospital and have received communications that the administrative changes will happen in Washington that will verify our Critical Access standing. He reminded everyone that this stemmed from changes on the designation of secondary roads and assured everyone that before any bonding took place there would be clear assurances that the Critical Access standing will be in place. There would be many hospitals impacted by this if it isn't resolved.

Jerry reported that things are trending in the right direction regarding the pandemic. Today the hospital only has three Covid positive patients and one positive Nursing Home resident. There are four staff in isolation between the hospital and the nursing home and three more under quarantine. These are remarkable numbers, and they haven't been that low since early to mid-November. The hours at the Maple Ridge testing site have been decreased due to the low numbers. If this trend continues the Nursing Home should be able to open for visitation, the regulations state that there must be a two-week period from the last recovered positive resident. In the meantime, the staff have been doing window visits inside with a barrier between the resident and the visitor. Jerry acknowledged the hard work and dedication of the hospital staff during this pandemic.

There are 100 doses of the Moderna vaccine being delivered to the hospital this week which will be a focused clinic on employees who have changed their mind about getting the vaccine, new employees to the hospital, new residents of the nursing home, nursing home employees, and those that are homebound within our Certified Home Health Agency.

Legislator Hathway questioned if Jerry had any thoughts on the initiative Senator Griffo is doing with technology to allow nursing home residents to be able to facetime family. Jerry responded that due to the generosity of our local faith community and general community members they have received several donated iPads that are being used. Legislator Chartrand asked Jerry to speak to the new Johnson and Johnson vaccination and if the county will be receiving any. Jerry responded that the hospital may receive some in the future but will let County Manager Ryan Piche to report on that.

Jerry concluded by updating the Board that the hospital-based visitation restrictions, which is a common topic in the public, will likely be changing in April.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

COUNTY MANAGER REPORT:

Ryan began by wishing the past Planning Director Frank Pace Happy Birthday. Ryan shared the counties Covid graphs, which are on the county's website, that show we are trending down. There has been 50.6% of first vaccine doses given to those 65 and older and 42.3% of second doses to that age group. To date there have been 3,982 first doses and 2,375 second doses in Lewis County. Vaccinations by site show that Lewis County Public Health and Lewis County Health System have given over 50% of all first dose vaccines which shows that the county is doing a good job for the community with the supplies we have been given. The Lowville Kinney Drugs site has done a remarkable job with 542 first dose vaccinations as well as the NYS Regional sites with 148 and the Potsdam site specifically with 123.

Ryan showed data that was collected which shows the zip code of people who have been vaccinated as well as the population of that zip code. Overall, 15% of the population in Lewis County have received their first dose of the vaccine. Several zip codes are trending around the 15% mark. The county has put in an order to New York State for 1,600 Johnson and Johnson vaccines, which equates to our share to the amount the state should be receiving. These vaccines are ideal for home bound individuals or those with a more transient lifestyle. If the county receives the requested Johnson and Johnson vaccine, Public Health will go out into the community to those that are homebound and also set up clinics in the most outlying places in the county. Hopefully this will allow a more mobile operation rather than the stationery operation that has been used.

Legislator Hathway questions what the anticipated timing of the Johnson and Johnson vaccine was. Ryan responded that the state supplies arrive Thursday and must be used in 5 days so relatively soon. Ryan referred to the zip code location data to point out that there are certain locations that are lacking in residents being vaccinated, like Turin, Port Leyden, and Copenhagen and asked that Legislators advocate to their respective residents to have them go online on the county's website and sign up for a vaccination through the pre-registration system. For those that don't have internet access they can call the Office for the Aging or Public Health to be assisted with getting their name on the list. The pre-registration system is working great because the number of doses received every week changes with such short notice, this gives Public Health the ability to set up a clinic in a short time frame and just go down the list contacting individuals.

Ryan showed everyone the pre-registration process on the county website. Chairman Dolhof pointed out the transportation section which allows individuals to indicate if they require transportation, which can be used to collect data on those that are homebound and need a visit by Public Health. Legislator Moroughan clarified that the eligible list is still Group 1A, Group 1B, Seniors 65+, and underlying health conditions. Ryan stated that once the Johnson & Johnson vaccine arrives in Lewis County those doses will be used to reach homebound individuals as it is a one-shot vaccine which makes it ideal for going out to various locations. Legislator Osborne voiced his opinion that the online system is working well and is easy to use. Legislator Virkler pointed out that residents should look at the list of underlying medical conditions because many residents could qualify.

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Legislator Chartrand questioned whether the tri-county control group was working on anything to push for local town, village and county employees to be put on the list as essential workers, especially DPW workers and plow drivers. Ryan responded that it has been discussed however NYS will not budge. There was discussion on whether a resolution should be drafted and sent into New York State pushing for expanding the eligible list to include DPW workers and plow drivers. Legislator Chartrand felt strongly that these individuals need to be protected and agreed to sponsor the resolution. Legislator Moroughan voiced her concerns for Kraft employees and mill workers who are working side by side and should be classified as an essential worker.

Ryan explained that eventually we are going to get through all the open eligible groups and other parts of the State will still be trying to get through them so it is something to keep in mind and that will need to be addressed at that point. He went on to point out that we don't want to bend the rules of who qualifies and who doesn't.

Legislator Chartrand made a motion to reduce the discussion on increasing eligibility to include certain groups of workers as essential into a resolution, seconded by Legislator Hathway and carried.

Ryan updated the board on the school situation in Lewis County as there has been discussion on whether to allow schools to go back to full in-person learning. The state guidance for school re-opening that was issued last fall is very specific and clear that social distancing, 6 feet of distance, must be observed at all times. If schools want to go back to in-person learning the state will have to address the guidelines, not the county. There is no way to put the normal number of kids on a bus while still observing the 6 feet of social distancing or to put the normal number of kids in a classroom with those guidelines. The state put the decision on the county health department for high-risk sports but that has been the only time the county has had a direct say in the operation of school districts. There is some feedback that residents feel the county should be able to allow schools to reopen and that is not the case. The county and the school districts must follow the NYS guidelines which indicate 6 feet of social distancing.

Ryan reported that the state budget is now a secondary issue due to everything that has transpired recently with the Governor but would typically be adopted by the end of April. The stimulus package has now passed the house and is now in the senate. This would mean about \$5.1 million in direct unrestricted aid to Lewis County if that passes. Legislator Gilbert thanked Ryan and Ashley for their work with the schools and reminded residents that ultimately everyone is beholden to the state for direction so they should voice their concerns not only to their local legislators but to their state representatives as well. He went on to point out that the one time the state did give the county authority to decide on high risk sports the county moved very quickly to authorize the season to move forward.

COUNTY TREASURER REPORT:

Treasurer Eric Virkler reported that the Budget Transfer policy has a minor change to it for clarification. The State Auditors should be onsite at the end of March, so the Treasurer's department is focused on that right now and closing out 2020. The amended Cash report was sent out recently with minor changes. Sales Tax change that was mentioned last month is on the

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monthly report and shows that in 2019 there was \$12,908,000 booked in sales tax revenue, in 2020 using that same methodology there would be \$13,250,000 booked in sales tax revenue. The change that is suggested would allow the county to follow both NYSAC and state reporting, making it easier to match their reports to ours. The original methodology is to report January receipts and part of February receipts as well as back out of a portion of February as the previous year. Auditors and NYSAC have no issues with the change which is to not include the February receipts as prior year booked revenue. Ultimately this way will just be starting a new baseline in 2020.

Chairman Dolhof closed the public hearings at 6:00 p.m. after no public comments were received.


REPORT OF THE FINANCE AND RULES COMMITTEE:

MARCH 2, 2021

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

To: The Honorable County Legislators

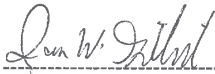
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 762,972.06 and recommend that they be audited and allowed for the amounts claimed.



Thomas Osborne Chair




Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: March 2, 2021

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 31 – 2021
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 \$ 762,972.06 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 Kulzer, and adopted on the 2nd day of March, 2021 by the following roll call vote:

AYES: Gilbert, Moroughan, Virkler, Osborne, Hathway, King, Burns, Chartrand, Kulzer, and Dolhof

NAYS: None

ABSENT: None

**RESOLUTION NO. 32 - 2021
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY HIGHWAY DEPARTMENT, LEWIS COUNTY SOLID WASTE
DEPARTMENT, LEWIS COUNTY RECREATION, FORESTRY AND PARKS
DEPARTMENT, AND LEWIS COUNTY BUILDINGS AND GROUNDS DEPARTMENT
WITH LEWIS COUNTY GENERAL HOSPITAL OCCUPATIONAL MEDICINE**

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

WHEREAS, the Lewis County Highway Department, Lewis County Solid Waste Department, Lewis County Recreation, Forestry and Parks Department and Lewis County Buildings and Grounds Department wish to enter into Agreements with Lewis County Health System Occupational Medicine for the purpose of random employee drug and alcohol testing for employees subject to same; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Agreements between the Lewis County Highway Department, Lewis County Solid Waste Department, Lewis County Recreation, Forestry and Parks Department and Lewis County Buildings and Grounds Department with Lewis County General Hospital Occupational Medicine for the purpose of random employee drug and alcohol testing for employees subject to same.

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Section 2. That this is for the term beginning January 1, 2021 and ending December 31, 2021 for the Company/Consortium Pricing Package at a rate of \$110.00 per employee. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$110.00; Breath Alcohol Test – \$25.00; Breath Alcohol Confirmation Test – \$25.00; Onsite Testing – \$50.00 and after hours testing - \$200.00.

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 Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 33 - 2021
RESOLUTION TO TRANSFER FUNDS
Buildings and Grounds**

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

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget transfer be approved in the Buildings and Grounds accounts for the purchase of a lawnmower - funds will be transferred from Project HAD Capital Equipment H0990100 499900:

Increase Revenue:

A0100000 350310 Interfund transfers	\$10,699.00
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Increase Expense:

A0162700 460500 JCC Rep and Maint Equip	\$10,699.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 34 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE DISTRICT ATTORNEY**

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 amends the Compensation Plan of the County of Lewis with reference to the District Attorney Office to:

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
Keyboard Specialist	Permanent Full-Time (35 hours)	Grade 9 (\$14.72-\$17.00)

<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Administrative Assistant	Permanent Full-Time (40 hours)	Grade 15 (\$16.80-\$19.69)

Section 2. That the District Attorney is hereby authorized to fill the Administrative Assistant position, effective and retroactively to March 1, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 35 - 2021
RESOLUTION TO APPROPRIATE FUNDS
Highway**

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

BE IT RESOLVED as follows:

Section 1. The County has received notice from New York State that the bridge project County Road 43 over Moose Creek (PIN 775389; BIN 3339700) is approved for Marchiselli program funds, with presentation of Supplemental Agreement -1.

Section 2. With this amendment, the following appropriations are approved in Highway accounts to reflect the Marchiselli program funds:

<u>Increase Revenue:</u>	
H0512000 335910 STATE	\$ 23,700.00
Project HAQ	

<u>Decrease Revenue:</u>	
HO512000 350310 Local	\$ 23,700.00
Project HAQ	

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

MARCH 2, 2021

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 36 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE NEW YORK STATE
DEPARTMENT OF TRANSPORTATION (NYSDOT) AND LEWIS COUNTY FOR THE
TRANSPORTATION FEDERAL-AID BRIDGE REPLACEMENT PROJECT
(PIN 775389) KNOWN AS CR 43 (EAST ROAD) OVER MOOSE CREEK**

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

WHEREAS, a Project for the Bridge Replacement known as CR 43 (East Road) over Moose Creek (PIN 775389; BIN 3339700) (the “Project”) in the Town of Leyden, 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 (ROW) Incidentals Phases of the Project by Resolution 221-2019 adopted July 2, 2019;

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 and authorizes the Chairman of the Board of Legislators to execute an agreement to the CR 43 (East Road) over Moose Creek Contract with NYSDOT, for the Right of Way Incidentals Phase (ROW) for the project.

Section 2. That the total estimated ROW Phase is \$10,500.00; therefore the Local Share equates to a deposit of \$2,100.00 and is hereby appropriated and made available to cover the cost of participation in the above phase of the project. The following accounts shall be recognized to facilitate the funding of this project:

<u>Increase Revenue:</u>	
H0512000 350310 Local	\$2,100.00
Project HAQ	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Increase Expense:

H0512000 499900	\$2,100.00
Project HAQ	

Section 3. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute all necessary agreements on behalf of the Lewis County Board of Legislators with the New York State Department of Transportation in connection with this Project.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 37 - 2021
RESOLUTION TO TRANSFER FUNDS
County Machinery**

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

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget transfer take place in the County Machinery accounts for the purchase of a 3.0 Cubic Yard Sander:

Increase Expense:

DM 513000 220600 Machinery Equip	\$5,900.00
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Decrease Expense:

DM 513000 470100 Vehicle Repairs	\$5,900.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 38 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY GENERAL HOSPITAL**

MARCH 2, 2021

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>
Certified Nursing Assistant (2)	Full-time	\$13.98 - \$18.36/hour
Food Service Helper (2)	Part-time	\$12.89 - \$17.07/hour

Section 2. That the following positions are hereby abolished:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Certified Nursing Assistant (3)	Part-time	\$13.98 - \$18.36/hour
Senior Food Service Helper (1)	Full-time	\$18.33 - \$23.27/hour

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 39 - 2021
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 and connectivity is then provided from the Courthouse to Lowville Commons, the JCC Ed Center, with service to the Highway Garage, and service to the County's 911 tower and equipment shelter on the Number Three Road; and

WHEREAS, by Resolution No. 286 – 2020, Board of Legislators authorized upgrades in connectivity between the PSB to the Courthouse, which increased the monthly cost for service to \$930.00; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Director of Information Technology has reviewed our network infrastructure needs across all locations, especially in light of the need for better internet service as a result of the pandemic and the implementation of upgraded telephone services through Westelcom. The Director seeks to again upgrade the fiber optic network connectivity services provided by DANC which will increase the monthly cost for services from \$930.00 to \$1,250.00; and

WHEREAS, the proposed upgrades in service include:

1. Upgrade speeds to the JCC building for offsite back-ups - Increase from 100 mbps to 500 mbps. (Monthly cost increase from \$200 to \$350.)
2. Upgrade courthouse to PSB and DSS connectivity to receive Westelcom 500mbps capacity and to continue cloud services for existing office 365, Teams and Zoom needs. – Increase from 400 mbps to 500 mbps. (Monthly cost increase from \$300 to \$350.)
3. Upgrade speeds at Highway Garage from 10 mbs to 100 mbs. (Monthly cost increase from \$80 to \$200.)

WHEREAS, the Board of Legislators wishes to authorize an amendment to the continuing service agreement to provide for these upgrades and increased monthly payments.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators authorizes an amendment or change orders 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 services under DANC Project #s 31204 (JCC) from 100 to 500 mbps; Project # 30010 (Courthouse) from 400 mbps to 500 mbps; and Project # 30844 (Highway Garage) from 10 mbs to 100 mbs; for a total monthly increase in cost of \$320.00, effective upon execution of the change service order acknowledgement form, as an amendment to the Agreement. The total monthly charges by DANC for fiber optic network services is thereby increased from \$930/mo to \$1,250/mo.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such change order forms and/or 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 Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 40 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND C&S COMPANIES CONSULTING SERVICES INC.
TO PROVIDE PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONCEPT**

MARCH 2, 2021

**& DESIGN DEVELOPMENT SERVICES FOR THE LEWIS COUNTY 2022
FACILITIES IMPROVEMENT PROJECT**

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

WHEREAS, the Lewis County Board of Legislators, with various participants from county departments and other interested parties, have invested considerable time in review of all county facilities; their conditions, uses, and upgrade need both structurally and for maximum efficiencies; and

WHEREAS, the Board has identified specific projects for facilities improvement, including, but not limited to:

1. Renovation and replacements to the DSS Building, both exterior and interior, including upgrading of HVAC, plumbing, electrical, lighting & flooring; and with a potential addition to house the Board of Elections.
2. A Buildings and Grounds Work Shop at the DSS site.
3. Renovations to designated areas of the existing Highway – Main Garage, including portions of HVAC, Plumbing & Electrical/Lighting Systems.
4. Replacement of the Cold Storage Building at Highway, with a New Building to house some additional offices; and

WHEREAS, the General Services Committee had C&S Companies present its review of the facilities and the potential renovations sought by the County. The committee requested that C&S provide a cost proposal for the Concept Development for the Projects discussed; and

WHEREAS, C&S has provided a detailed cost proposal and scope of architectural/engineering services for the facilities project for consideration by the Board of Legislators; and

WHEREAS, upon the recommendation of the General Services Committee, the Board of Legislators seeks to accept this proposal and authorize an agreement with C&S for professional architectural/engineering services as outlined in its proposal dated February 9, 2021;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with C& S Companies, 499 Col. Eileen Collins Blvd, Syracuse, NY 13212, to provide professional architectural/engineering concept development and design services, with site environmental and geotechnical engineering survey services, all as outlined in the proposal dated February 9, 2021, at a cost of \$114,460.00.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include a schedule of services commencing March 1, 2021, with submission of final updated conceptual drawings, project narrative and overall estimate of probable project cost on June 17, 2021.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

Moved by Legislator Kulzer , seconded by Legislator Burns , and adopted on the 2nd day of March, 2021.

Later in the meeting, Legislator Kulzer made a motion to reconsider the adoption of this resolution citing further discussion was needed, seconded by Legislator Chartrand.

Chairman Dolhof stated that professional services do not require to be put out to bid. The committee felt that C&S was the choice that they wished to move forward and that is the way it proceeded. Legislator Kulzer voiced his concern that spending \$114,000 should be put out to bid because other entities are looking for business and he was not impressed with the previous project on the East Road that was done by C&S Companies. Chairman Dolhof further stated that the amount of this contract is within the normal 10% range of the overall engineering budget for the scope of services.

Legislator Gilbert stated that he was inclined to agree with Legislator Kulzer that it should have been put out to bid however due to the tight timetable it would now slow the project down. Legislator Virkler asked Ryan to explain the history behind this decision. Ryan reviewed the recordings of the Committee meetings and felt that Legislator King had given multiple opportunities for fellow legislators to voice concerns, and although Legislator Kulzer did voice his concerns, Ryan felt that the majority wanted to move this forward which is what he did by asking C&S to follow up with a presentation and now this resolution. He also agreed that by not moving forward and starting the process over with putting out an RFP it would take at least two more months to get back to a point where there would be an agreement.

Legislator Kulzer again voiced his discontent with the East Road project. Ryan responded that he felt very satisfied with C&S and cited that they are doing a great job working on the hospital project. Legislator King voiced his opinions that it was brought up for discussion more than once and the consensus was to move it forward, and although Legislator Kulzer had concerns no one else felt the same way. Legislator Virkler asked for clarification that the legislators have been at this point in the past, there was some discussion that this was a new design, but the project was discussed in the past.

Legislator Chartrand asked for clarification on some of the figures as they didn't seem in line with the 10% cost portion at \$114,000, putting the Engineering Phase at over \$1 million. Ryan explained that this phase is to get the information necessary to come up with conceptual drawings. Legislator Hathway pointed out that the agreement states part of the scope of services is for conceptual drawings are not to our likings at that point another company could be chosen.

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The motion was then DEFEATED with a vote of 9 to 1 with Legislator Kulzer voting in favor and Legislators Chartrand, Hathway, Osborne, Moroughan, Virkler, Burns, Gilbert, King, and Dolhof against.

**RESOLUTION NO. 41 - 2021
RESOLUTION CALLING FOR THE RESCISSION/REPEAL OF
NEW YORK STATE FIBER OPTIC RIGHT-OF-WAY FEE LAWS**

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

WHEREAS, the 2019-2020 New York State budget contained language that enacted a right-of-way use and occupancy fee for any fiber optic cables located in or crossing a state-controlled right of way, and authorized the New York State Department of Transportation (DOT) to enter fee-bearing permits with fiber optic installers; and

WHEREAS, the 2019-2020 state budget also added Section 7 of the Transportation Corporation Law, allowing the DOT to charge fiber optic fees to corporations installing and operating the utility lines for fair-market use and occupancy of the state right-of-way; and

WHEREAS, in early 2020, organizations, businesses, legislators and residents of Northern New York became aware of the fee. In the rural counties of the North Country it is virtually impossible to install fiber optic cables for any distance without utilizing or crossing a state right-of-way; and development requirements within the Adirondack Park almost entirely preclude installation of broadband in any location other than an existing state right-of-way; and

WHEREAS, the coronavirus pandemic has caused more people to be working from home and more students to be learning from home, and has increased the use of telemedicine, thus magnifying the need for additional broadband services in unserved and underserved areas so rural residents can engage in everyday activities; and

WHEREAS, Governor Cuomo, in his 2021 State of the State address championed his Connectivity Agenda which includes, among other provisions, enactment of a requirement for affordable internet for low-income families and a series of actions to promote broadband build-out and market competition; and

WHEREAS, the Governor said, “Without affordable broadband, people are not just disconnected, they are disenfranchised. Broadband must be available to everyone, everywhere, and, in New York, we will make sure it is;” and

WHEREAS, the DOT fiber right-of-way fee is acting as a significant financial deterrent to broadband build-out in rural areas, with some projects already cancelled and others put on hold due to the fact that these fees will cost providers hundreds of thousands, and in some cases, millions of dollars annually; and

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WHEREAS, earlier laws have been enacted that hinder the expansion of broadband into unserved and underserved communities. Recent Legislation has been introduced to repeal these counterproductive sections of law that prevent the expansion of affordable broadband services in unserved and underserved communities across New York.

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) to formally oppose the enactment of the DOT right-of-way fees on fiber optic cable, and urges the Governor and the New York State Legislature to immediately rescind/repeal the right-of-way use and occupancy fees on fiber cable so that the Governor's pledge can be fulfilled, and so that expansion of the fiber network in the North Country can continue in order to serve critically unserved and underserved areas.

Section 2. That the Lewis County Board of Legislators specifically supports passage of New York Senate Bill 8858/Assembly Bill 10932 (2020) to repeal Section 24-e of the Highway Law and Section 7 of the Transportation Corporation Law in relation to reducing the cost of expanding broadband access.

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 majority and minority leaders of the New York State Legislature, and all others deemed necessary and proper.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 42 - 2021
RESOLUTION URGING GOVERNOR ANDREW M. CUOMO TO EXPAND TRUE
BROADBAND COVERAGE TO ALL NEW YORKERS**

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

WHEREAS, Governor Andrew M. Cuomo, in his 2021 State of the State address, stated that more than 98 percent of New York's residences and businesses have access to one or more high-speed wired and/or wireless broadband services; and

WHEREAS, based on data gathered directly from schools, municipalities, and other organizations, there are large gaps in broadband service across rural and upstate New York, contradicting the Governor's statement; and

WHEREAS, maps developed by the Federal Communications Commission (FCC) misrepresent the accessibility of broadband service and are often referenced by agencies and

MARCH 2, 2021

grantees. Even in areas where broadband is purported to be available, the level of service is not sufficient to constitute true broadband access; and

WHEREAS, the prices for access to broadband in areas where it might be available is at such a high level or required to be part of other purchases, that it is inaccessible to many; and

WHEREAS, our residents need access to reliable and affordable broadband service for school, employment, telehealth, business, and social aspects of life; and

WHEREAS, as we have seen in the face of this pandemic, broadband serves a vital role in keeping businesses, local government, and schools open, and is necessary in breaking down the digital divide that creates groups of haves and have-nots not only within our state, but within our county; and

WHEREAS, broadband access provides a critical public infrastructure need for New York residents, towns, municipalities, counties, emergency services, and more.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators joins with the New York State Association of Counties (NYSAC) and calls upon Governor Cuomo and our Federal and State legislative delegations to work with the Federal Communications Commission (FCC), local leaders and officials to re-evaluate FCC broadband availability maps to reflect the true need and to include service gaps in broadband service across upstate, rural New York.

Section 2. The Lewis County Board of Legislators calls upon the Governor and our Federal and State legislative delegations to work to expand true broadband access to all areas of New York State, including rural, upstate New York, to ensure that this vital economic development infrastructure is expanded and offered at affordable pricing, to prevent the further isolation of those in need.

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 New York Federal and State Legislative Delegations, and all others deemed necessary and proper.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 43 - 2021
RESOLUTION AUTHORIZING ADDITIONAL PAYMENT AND AMENDED
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND THE
TOWN OF WATSON - TOWN'S COMPREHENSIVE PLAN**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

WHEREAS, the County of Lewis, by and through the Lewis County Planning Department, entered into an Intermunicipal Agreement with the Town of Watson Planning Board (“Town”) pursuant to Resolution No. 97-2020 for the Town to complete its Comprehensive Plan with the assistance and expertise of DANC, in consideration of the County contributing 60% (\$2,100) of the fees charged by DANC for their services in the project. The DANC fee was originally estimated to be \$3,500. ; and

WHEREAS, the Town’s Comprehensive Plan has been completed and they have received an invoice in the amount of \$6,000 for DANC’s professional services. This is a greater amount than the Town anticipated for the services by DANC. The Town respectfully requests the County to contribute 60% of the actual fee charged by DANC, which requires an additional \$1,500 payment; and

WHEREAS, the Board of Legislators seeks to authorize this additional contribution and amend the IMA to reflect same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an amendment to the Intermunicipal Agreement with the Town of Watson Planning Board to provide for an additional \$1,500 contribution from the County toward the total \$6,000 fee charged by DANC for their services in developing the Town’s Comprehensive Plan.

Section 2. That the Lewis County Board of Legislators authorizes and directs the Lewis County Planning Department to contribute an additional sum of \$1,500 to this cost, payable from its 2020 Community Development encumbered funds.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such amendment, 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 Kulzer , seconded by Legislator Burns , and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 44 - 2021
AUTHORIZING APPLICATIONS FOR
COMMUNITY DEVELOPMENT BLOCK GRANTS**

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

MARCH 2, 2021

WHEREAS, the Board of Legislators has duly advertised and held virtual public hearings on March 2, 2021 at 5:00 p.m., and has considered the comments received pertaining to Consolidated Funding Applications for 1) 2020 Community Development Block Grant (CDBG) for small business loan/grant (\$200,000.00); and 2) 2020 CDBG Community Planning funding for a countywide Housing Needs Assessment and Market Analysis in an amount not to exceed \$50,000.00;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes the filing of two (2) separate Consolidated Funding Applications (CDBG Grants) for 1) 2020 CDBG grant for small business loans/grants in an amount not to exceed \$200,000.00; and 2) 2020 CDBG Community Planning funding for a countywide Housing Needs Assessment and Market Analysis in an amount not to exceed \$50,000.00 (with the required 5% cash local match paid from 2021 Community Development Funds).

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such applications, documents or writing, and any amendments thereto, as may be necessary to carry out the terms of this Resolution.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 45 - 2021
RESOLUTION AUTHORIZING PHASE 1 FUNDING FOR THE LEWIS
COUNTY AGRICULTURE SUSTAINABILITY COUNCIL'S DAIRY
RESILIENCY PROJECT**

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

WHEREAS, pursuant to Resolution No. 210-2019, the Lewis County Board of Legislators established the Lewis County Agriculture Sustainability Council ("LCASC") and its by-laws, comprised of individuals representative of dairy farmers and various agriculture related businesses and agencies in Lewis County; and

WHEREAS, the stated purpose of the council's formation was to develop and execute a Lewis County Agriculture Sustainability Action Plan, with a goal to alleviate the hurdles confronting Lewis County Farmers and Growers by creating a competitive agriculture and farming culture and cultivation of a robust and sustainable agribusiness for the farmers in Lewis County; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, in December 2020, council members presented their proposed “Dairy Resiliency Project” to the Board of Legislators, highlighting the importance of dairy and its impact on the local economy, community and way of life, with key factors that drive the dairy industry and the economic threats that local dairy farmers consistently face; and

WHEREAS, the council seeks funding up to \$59,000.00 from the County, for Phase 1 of this Project, for an in-depth study and analysis to assess and identify the current to longer-term regional market for dairy ingredients and by-products; to identify and prioritize key market opportunities in dairy ingredients and processing/storage capabilities; and to develop a robust business case and business plan, with 10-year financials and recommendations for potential sources and structures of public and private funding and financing; and

WHEREAS, the Phase 1 project and funding includes salaries for Cornell Cooperative Extension for Project Management and Administration, travel and meals, and the hiring of an external professional consultant to perform and deliver on the stated objectives identified in Phase 1; and

WHEREAS, the Board of Legislators seeks to authorize funding up to \$59,000.00 for Phase 1 of the Project, and to have the Council provide regular and periodic updates to review progress and spending under the Project as described;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes funding up to and not to exceed \$59,000.00 for Phase 1 of the Lewis County Agricultural Sustainability Council’s “Dairy Resiliency Project”, as outlined in its presentation on December 15, 2020 and February 16, 2021.

Section 2. That the Lewis County Board of Legislators hereby directs that the Lewis County Treasurer transfer \$59,000.00 from special legislative contingency to the Planning Department’s 2021 community services line account.

Section 3. That the Lewis County Board of Legislators authorizes and directs the Lewis County Attorney to draft a Memorandum of Agreement between the County and LCASC with terms and provisions for periodic progress reports, monthly or other periodic financial invoices, and any other provisions consistent with the Council by-laws and the intent of this Resolution.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such MOA, as may be approved by the County Attorney.

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

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Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 46 - 2021
RESOLUTION AUTHORIZING INCLUSION OF CERTAIN AGRICULTURALLY
VIABLE LAND INTO A CERTIFIED AGRICULTURAL DISTRICT AND NEGATIVE
DECLARATION DETERMINATION**

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

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amending NYS Agricultural and Markets Law, designated a thirty (30) day review period starting on November 15, 2020 and closing December 15, 2020 in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board (LCAFPB) has two (2) applications submitted for review encompassing the following properties into Agricultural District # 6 located in the Town of New Bremen; Tax Map Parcel No. 165.00-01-23.000 now owned by Charles R. Farney and Timothy J. Baker (approximately 47.3 acres); and Tax Map Parcel No. 148.00-01-11.120 owned by Timothy J. Baker and Amy Baker, (approximately 37.12 acres); and

WHEREAS, a Short Environmental Assessment Form for an Unlisted Action has been prepared by the Director of Planning on behalf of the County of Lewis Board of Legislators as the lead agent for this “Ag Inclusion Project” for determination of the environmental impact of these parcels, with a conclusion and determination that inclusion will not result in any significant adverse environmental impact; and

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amending NYS Agricultural and Markets Law, conducted a virtual public hearing to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board on March 2, 2021 at 5:00 p.m.; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby authorizes the Chairman of the Board to execute the Short Environmental Assessment Form prepared by the

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Planning Department declaring that these Actions and Applications will not result in any significant adverse environmental impacts.

Section 2. That the Board of Legislators of the County of Lewis adopts the recommendations of the Lewis County Agricultural and Farmland Protection Board, and places the following parcels of land in the Town of New Bremen, known as Tax Map Parcel No. 165.00-01-23.000 owned by Charles R. Farney and Timothy J. Baker (approximately 47.3 acres); and Tax Map Parcel No. 148.00-01-11.120 owned by Timothy J. Baker and Amy Baker, (approximately 37.12 acres) into certified Agricultural District # 6.

Section 3. That the Chairman or Vice Chairman is authorized to execute any other documents to give effect to this resolution, upon review and approval of the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 47 - 2021
RESOLUTION TO SET PUBLIC HEARING TO ADOPT THE
2021 LEWIS COUNTY AGRICULTURAL ENHANCEMENT PLAN**

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

WHEREAS, in 2019, County of Lewis, acting by and through the Lewis County Planning Department, entered into an agreement with Community Planning & Environmental Associates for professional consultant and planning services to assist with development of a Lewis County Agricultural and Farmland Protection Plan (“Plan”); and

WHEREAS, agriculture is critical not just to the County’s economy, but to its rural landscape, community character, environment, and public health. The Lewis County stakeholders developed a proposed Plan under a mission to promote the sustainability and resiliency of farming in Lewis County. The proposed plan provides information about current agricultural conditions, a vision for the future, and a detailed set of strategies to be implemented over the next decade; and

WHEREAS, the Board of Legislators wishes to set a public hearing to hear any comment on the proposed Plan prior to further action on same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby sets a virtual public hearing (as a result of temporary restrictions on large gatherings due to COVID-19) to solicit the views of County of Lewis citizens regarding the proposed Lewis County Agricultural and

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Farmland Protection Plan developed by the Planning Department and its consultant, Community Planning & Environmental Associates.

Section 2. That the hearing will be held virtually at the Board's regular meeting on Tuesday, April 6, 2021 at 5:00 p.m. Anyone wishing to comment should go to the county's webpage at www.lewiscounty.org and look in the calendar section at the bottom of the page for the link to join the meeting (the link will be posted the day before the scheduled meeting). Comments may also be sent via email, mail or hand delivered on or before April 5, 2021 by 4:00 p.m. to the Clerk of the Board at cassandramoser@lewiscounty.ny.gov or at 7660 North State Street, Lowville, NY 13367. All comments received will be read into the record prior to any action by the Board.

Section 3. That public notice of the hearings shall be advertised in accordance with law at least five (5) days prior to the hearing date.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 48 - 2021
RESOLUTION TO SET PUBLIC HEARING TO
OBTAIN PUBLIC INPUT WITH REFERENCE TO
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

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

WHEREAS, the County of Lewis is eligible to apply for the 2020 New York State Community Development Block Grant Program (NYS CDBG) administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR); and

WHEREAS, the Board of Legislators wishes to obtain the views of citizens on community development, housing needs and possible other activities, prior to the preparation of a CDBG application;

WHEREAS, citizen participation requirements of the programs mandate the County to conduct public hearings prior to submission of applications for the purpose of obtaining citizens' views and responding to proposals and questions; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby sets a virtual public hearing (as a result of temporary restrictions on large gatherings due to COVID-19) to solicit the

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views of County of Lewis citizens regarding a NYS CDBG Housing application for 2020 funds in an amount not to exceed \$1,000,000.00 with Snowbelt Housing as the Subrecipient.

Section 2. That the hearing will be held virtually at the Board's regular meeting on Tuesday, April 6, 2021 at 5:00 p.m. Anyone wishing to comment should go to the county's webpage at www.lewiscounty.org and look in the calendar section at the bottom of the page for the link to join the meeting (the link will be posted the day before the scheduled meeting). Comments may also be sent via email, mail or hand delivered on or before April 5, 2021 by 4:00 p.m. to the Clerk of the Board at cassandramoser@lewiscounty.ny.gov or at 7660 North State Street, Lowville, NY 13367. All comments received by the deadline will be read into the record, however comments may still be submitted up until April 8, 2021 at 4:00 p.m. in accordance with OCR guidelines.

Section 3. That public notice of the hearings shall be advertised in accordance with law at least seven (7) days prior to the hearing date.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 49 - 2021
RESOLUTION AUTHORIZING CONTRACT BETWEEN THE
COUNTY OF LEWIS AND NEW YORK STATE
OFFICE OF INDIGENT LEGAL SERVICES
(GRANT DISTRIBUTION #11)**

Introduced by Legislator Jerry King, Chair of 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 notice of a grant award from the New York State Office of Indigent Legal Services in the amount of \$113,928.00 ("Distribution #11"), Contract Number C110022, for the provision of funds to assist the County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in the grant contract; and

WHEREAS, the Board of Legislators wishes to accept the grant and enter into the contract for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That the Board of Legislators hereby authorizes and approves a contract by and between the County of Lewis and New York State Office of Indigent Legal Services (ILS) to provide grant funds in the amount of \$113,928.00 under Distribution # 11 to assist the County in improving the quality of indigent legal services provided.

Section 2. That the term of Contract No. C110022 is effective January 1, 2021 through December 31, 2023, and as may be extended.

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 said agreement and any amendments and 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 Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 50 - 2021
RESOLUTION TO TRANSFER FUNDS
Sheriff's Office**

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

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget transfer be approved in the Sheriff's Office accounts for the purchase of capital equipment – Dishwasher (\$10,000); Office Furniture (\$5,000); and Computer Equipment (\$7,000). These items were all included in the 2021 capital budget and the funds will be transferred from Project HAD Capital Equipment reserve H0990100 499900:

Increase Revenue:

A0100000 350310 Interfund transfers	\$22,000.00
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Increase Expense:

A0315000 290900 Jail Misc Equip	\$10,000.00
A0311000 290900 Sheriff Misc Equip	\$ 5,000.00
A0311000 221700 Sheriff Computer Equip	\$ 7,000.00

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

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**RESOLUTION NO. 51 – 2021
RESOLUTION TO APPROPRIATE
SNOWMOBILE TRAIL PROGRAM FUNDS
2020-2021 SEASON**

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

BE IT RESOLVED as follows:

Section 1. That the following appropriation of the 2020-2021 State Snowmobile Trail funds is hereby approved in the Snowmobile Trails account:

Increase Revenue:

A0714100 338202 State Aid \$291,732.00

Increase Expense:

A0714100 499900 Expense \$291,732.00

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 Kulzer , seconded by Legislator Burns , and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 52 - 2021
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. (“TLS”) for the

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purpose of providing the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS.

Section 2. That the term of this agreement shall be from January 1, 2021 through December 31, 2021 at a cost not to exceed \$158.00 (for those who are not covered by individual insurance) per psychiatric assessment, medical examination for employability assessment; for any person referred by DSS for an employability assessment that is not under the care of Behavior Health and Wellness Center (“BHWC”), BHWC will be paid at a rate of \$158.00 per assessment. Travel costs to and from case consultations/treatment plan meetings held outside the TLS office shall be paid at the IRS rate for business miles. The County amount is approximately 36%; Federal approximately 50%; and State approximately 14%.

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

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 53 - 2021
RESOLUTION RENEWING INTERGOVERNMENTAL AGREEMENT
BETWEEN LEWIS COUNTY SOLID WASTE DEPARTMENT AND THE
ONEIDA HERKIMER SOLID WASTE MANAGEMENT AUTHORITY FOR
PROCESSING AND MARKETING OF RECYCLABLES

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

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department (LCSWD), desires to renew the recycling Agreement with the Oneida Herkimer Solid Waste Management Authority (“OHSWMA”) that was previously adopted pursuant to Resolution No. 449-2015 for a five (5) year term, (January 1, 2016 through December 31, 2020). OHSWMA is a public benefit corporation under the New York State Public Authorities Law, with offices located at 1600 Genesee Street, Utica, NY, to provide for processing and marketing of residential recyclable materials delivered from Lewis County; and

WHEREAS, OHSWMA is expressly empowered under Public Authorities Law § 2049-EE (8) to contract with other counties to receive residential recyclable materials originating from other counties, and by doing so is performing an essential governmental function by its receipt, processing and marketing of residential recyclable materials originating from Lewis County; and

WHEREAS, the County of Lewis generates significant residential recyclable materials at its facilities which need to be processed and marketed for the benefit of all Lewis County residents; and

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WHEREAS, the County of Lewis possesses the requisite equipment and permits to transport residential recyclables to OHSWMA Recycling Center on Leland Avenue, Utica, NY, and OHSWMA has been permitted by the DEC to receive and process these materials; and

WHEREAS, this intergovernmental agreement is intended to reduce the County's costs associated with processing and marketing of residential recycling materials; and

WHEREAS, the Board of Legislators seeks to enter into this renewal Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a renewal Intergovernmental Recycling Service Agreement between the County of Lewis by and through the Lewis County Solid Waste Department and the Oneida Herkimer Solid Waste Management Authority to process and market residential recyclables from Lewis County.

Section 2. That said Agreement shall be for the period beginning January 1, 2021 through December 31, 2022, with the County to pay OHSWMA monthly fees at the rate of \$77.29/ton for 2021, and increased by 2% beginning January 1, 2022 for each ton of recyclable materials delivered to OHSWMA for processing and marketing; and with the County to receive credit for revenues realized from the sale of sorted, recyclable materials less residue rates as set forth in the Agreement.

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

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

Moved by Legislator Kulzer , seconded by Legislator Burns , and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 54 - 2021
RESOLUTION DETERMINING LEAD AGENCY AND THAT THE PROPOSED
LOWVILLE TRANSFER STATION RENOVATION/ADDITION PROJECT WILL NOT
HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

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

WHEREAS, the Lewis County Solid Waste Department proposes to construct an addition to the existing Lowville solid waste transfer station in order to better serve the residents and businesses of Lewis County and provide more efficient transfer of waste to the ultimate disposal facility; and

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WHEREAS, the Lewis County Board of Legislators seeks to establish itself as Lead Agency for the project, and to submit the building addition is an unlisted action for purposes of environmental review under SEQRA, as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, pursuant to the SEQRA Regulations, the Lewis County Board of Legislators has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the Short Environmental Assessment Form (SEAF) for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the SEAF, together with other available supporting information, to identify the relevant areas of environmental concern;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby establishes itself as Lead Agency for the Project, in compliance with SEQRA requirements.

Section 2. That based upon an examination of the Short Environmental Assessment Form (SEAF) and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern along with the County's knowledge of the area surrounding the Project, the Lewis County Board of Legislators hereby determines that the Project will not have a significant adverse environmental impact, and that the Project will not require the preparation of a Draft Environmental Impact Statement.

Section 3. That as a consequence of such findings and declaration, and in compliance with the requirements under SEQRA, the Lewis County Board of Legislators, as Lead Agency, hereby authorizes and directs the Chairman of the Board, or the Vice-Chairman in his absence, to sign the SEAF Part 3- Determination of Significance indicating that a Negative Declaration has been issued for the Project, upon review by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 55 - 2021
RESOLUTION AWARDED BIDS AND AUTHORIZING AGREEMENTS FOR THE
SOLID WASTE TRANSFER STATION REMODELING PROJECT BETWEEN
LEWIS COUNTY AND C&S TECHNICAL RESOURCES, INC. FOR GENERAL
CONSTRUCTION AND BETWEEN LEWIS COUNTY AND NORTHERN PIONEER
CONTRACTORS, INC. FOR ELECTRICAL CONSTRUCTION**

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

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WHEREAS, the Lewis County Solid Waste Department, with the assistance of Barton & Loguidice engineers, recently sent out Request for Proposals for: 1) General Construction bids, and 2) Electrical Construction bids pertaining to the improvements project at the Lowville Transfer Station; and

WHEREAS, the Solid Waste Director, the engineer consultant, County Manager and members of the General Services Committee opened the bids on February 17, 2021 at 10:00 am, considered the responses to the RFPs and recommend that the following be awarded the contracts:

1. For General Construction of the transfer station renovation/improvements project, the committee recommends awarding the contract to C&S Technical Resources, Inc., of Syracuse, NY, the lowest bidder, in the amount of \$ 1,233,000.00 for the general construction services outlined in the RFP; and
2. For Electrical Construction of the transfer station renovation/improvements project, the committee recommends awarding the contract to Northern Pioneer Contractors, Inc., of Glenfield, NY, the lowest bidder, in the amount of \$ 58,500.00; and

WHEREAS, the Board of Legislators seeks to award the bids and authorize contracts to the above entities, who were the lowest bidders.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the Solid Waste Transfer Station renovation/improvements project bids to and authorizes agreements with:

- A. C&S Technical Resources, Inc., of Syracuse, NY, to provide general contracting services at the solid waste transfer station on Route 26, Lowville, NY, in accordance with the specifications and timeline set forth in the RFP, in the amount of \$1,233,000.00.
- B. Northern Pioneer Contractors, Inc., of Glenfield, NY, to provide electrical contractor services at the solid waste transfer station on Route 26, Lowville, NY, in accordance with the specifications and timeline set forth in the RFP, in the amount of \$58,500.00.

Section 2. That the Lewis County Board of Legislators hereby directs the Treasurer to transfer \$400,000.00 from Solid Waste Fund Balance and \$1,500,000.00 from the County General Fund Balance into a Solid Waste Capital Projects account.

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 review and approval by the County Attorney.

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

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Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 56 - 2021
RESOLUTION ADOPTING BUDGET TRANSFER POLICY
FOR THE COUNTY OF LEWIS**

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

WHEREAS, the Lewis County annual general fund budget is \$50,700,000, with 1% of that budget being \$500,000. The current policy allows a Department Head to transfer up to \$5,000 within the department's .4 (contractual expenses) line items, but does not allow for other transfers among other lines such as personnel (.1's), equipment and capital (.2's), benefits (.8's); and

WHEREAS, allowing for more approval authority by the County Manager and Treasurer for transfers within a Department's budget, with a more detailed policy for same, will improve operational functionality for the county and the departments, and will allow Legislators to focus on the greater issues of governance and vision for the County; and

WHEREAS, the Board of Legislators seeks to adopt this budget transfer 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 Budget Transfer Policy and guidelines for transfers within the budget of a Department.

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 Burns, seconded by Legislator Virkler.

Legislator Osborne made a motion to amend the Lewis County Budget Transfer Policy in Section C.1 to read "Any other transfers from .1 to other expense lines, except as set forth in section B above, require committee approval and Board resolution.", seconded by Legislator Burns and carried.

The resolution was then adopted on March 2nd, 2021.

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LEWIS COUNTY BUDGET TRANSFER POLICY

The County Budget is developed with detailed input from Department Heads, their fiscal managers, and the County Manager on an annual basis. The expectation of the Board of Legislators is that all departments will conduct and account for their operations within the line items included in their budget. It is recognized that unexpected circumstances may develop, during the year, such as, price fluctuations, state estimate modifications between the time the budget is developed and actual expenditures are incurred, other unforeseen changes. Budget transfers are needed in certain circumstances, and this policy outlines how specific transfers will be authorized.

A. Process and System

1. With the capabilities provided by the County's Tyler Munis financial system, approvals are required within the accounting system rather than on paper. All budget transfers will undergo final review and approval by the Budget Officer (County Manager), County Treasurer or Deputy County Treasurer after other review and approval has previously been completed.
2. Department Heads are expected and relied upon to accurately identify and plan his/her fiscal needs as part of the annual budget preparation process. After adoption of the budget by the Board of Legislators, Department Heads are responsible for monitoring their operations to make sure that actual results meet budget expectations. When negative variances occur or are anticipated to occur, Department Heads will immediately take necessary actions to address and remedy those situations.
3. Definitions:
 - a. Object codes are designated within the Munis financial systems based on different categories of expense types. The expense object codes discussed in this policy are the following:
 - i. .1 - Personnel and Compensation
 - ii. .2 - Equipment
 - iii. .4 - Contractual expenses, for example professional services, travel, printing, postage, etc.
 - iv. .8 – Employee Benefits

B. Transfer Approval Levels

1. The details below outline the approvals required for each type of budget transfer.
 - a. Within a department or associated departments managed by the same Department Head:
 - i. Transfer of funds from .4 to .4 up to \$5,000 can be made with approval of that Department Head, with report of that activity by the Department Head in his/her monthly report to committee.

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- ii. Transfer of funds from .4 to .4 between \$5,001 and \$10,000 requires approval of the County Manager.
 - iii. Transfer of funds from .4 to .4 over \$10,000 requires committee review and approval and Board resolution.
 - iv. Transfer of funds from .4 to .2 are allowed up to \$5,000 with approval of the County Manager. Amounts above \$5,000 require approval of committee and Board resolution.
 - v. Unused .1 or .8 funds in a department can be transferred to a .4 account to utilize contract services for a specific need, up to \$5,000 with approval of the County Manager. Above \$5,000 requires committee review, approval and Board resolution.
- b. Any request for new or non-budgeted equipment, costing \$1,000 or more, requires approval of the County Manager. Below that amount, a department can purchase equipment using .2 funds if budgeted, with Department Head approval.
 - c. Transfer of funds within .1 accounts (from regular wages to overtime or vice versa, for example) can be made up to \$5,000 with County Manager approval. Above that amount requires committee review, approval and Board resolution.
2. Funds associated with capital purchase that are outlined in the annual capital budget plan will be transferred to the appropriate departmental capital line item after adoption of the budget, with a request from the department, and approval from the County Manager. The Department must also follow County Purchasing policy and any necessary proposal or bidding requirements.

C. Other Activities

1. Any other transfers from .1 to other expense lines, except as set forth in section B above, require committee approval and Board resolution.
2. Any transfers into a .1 from other expense lines require committee approval and Board resolution.
3. Any amounts / items approved as an annual Capital purchase that are not expended, are not allowed to be transferred to a different appropriation without committee approval and Board resolution.
4. Grant revenue and expenditure, not included in the approved budget, requires committee approval and Board resolution to appropriate the funding required.
5. Use of contingency expense lines requires Board resolution to transfer funds to another account.
6. Unexpected revenue for donations, small grants, or insurance refunds may be added to the budget by notice to the committee and Board resolution. If the dollar amount is less than \$10,000 these items will be reviewed by the Department Head and Treasurer and accepted as revenue without approval required.

Adopted by LC BOL:
Revised and Adopted :

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**RESOLUTION NO. 57 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND REMEDY ANALYTICS**

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

WHEREAS, the Lewis County Treasurer is the Plan Administrator for the County's health plans, tasked with management and review of the county's health plans and health funds; and

WHEREAS, Remedy Analytics, Inc., (Remedy) is a recognized consultant firm who will work on behalf of our health plan (Excellus) to analyze data related to pharmaceutical charges in relation to prices established in our Excellus plan; who will negotiate pharmaceutical prices on our behalf for better pharmacy charges, and seek refunds for incorrectly billed charges. Remedy will provide pharmacy benefit consulting services, vendor management support, auditing services, claims management services and other services as outlined in its Statement of Work provided to the Treasurer; and

WHEREAS, Remedy seeks a three year agreement with compensation based upon its ability to provide savings to the County, that is, Remedy seeks on a quarterly basis a fee equivalent to 20% of the unit cost savings calculated from the County's pharmacy benefits management (pbm) agreement;

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 a three year agreement with Remedy Analytics, Inc., with offices at 234 W. Florida Street, Suite 150, Milwaukee, WI 53204, to provide consultant services pertaining to the County's pharmaceutical provisions under its health plans, including data review and analysis, management services, benefit services, auditing services claims negotiation and management services to assist the Treasurer as the Health Plan Administrator and GKG in the costs associated with pharmaceutical benefits under the Plan, all as set forth in Remedy's proposed Statement of Work (SOW).

Section 2. That this is a three year agreement, with compensation to Remedy based upon its ability to provide savings to the County, with a fee payable on a quarterly basis equivalent to 20% of the unit cost savings calculated from the County's pharmacy benefits management (pbm) 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.

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A0731100 440100 Youth Bureau expense \$2,284.00

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver any and all amendments that may be required under the 2020 Youth Development Funding Program and the County's Resource Allocation Plan.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 60 - 2021
RESOLUTION TO APPOINT YOUTH BUREAU DIRECTOR AND YOUTH BUREAU
ASSISTANT AND AUTHORIZE STIPENDS FOR SAME**

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 designates and appoints DEANNA EDICK, Lewis County Director of Services, to serve as the YOUTH BUREAU DIRECTOR for Lewis County, effective and retroactive to March 1, 2021.

Section 2. That the Lewis County Board of Legislators hereby approves a stipend of \$2,500.00 per year to be paid (payable in monthly installments) to Deanna Edick to perform such Youth Bureau Director duties for the County.

Section 3. That the Board of Legislators hereby designates and appoints RAMONA CARPENTER, Lewis County Senior Keyboard Specialist, to serve as the YOUTH BUREAU ASSISTANT for Lewis County, effective and retroactive to March 1, 2021.

Section 4. That the Lewis County Board of Legislators hereby approves a stipend of \$2,000.00 per year to be paid (payable in monthly installments) to Ramona Carpenter to perform such Youth Bureau Assistant duties for the County.

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

Moved by Legislator Kulzer seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 61 - 2021
RESOLUTION IN MEMORIAM OF
JACK T. BUSH**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

WHEREAS, **Jack T. Bush** of Brantingham, New York, recently departed this life on February 6, 2021; and

WHEREAS, **Jack T. Bush** was selected by the electorate of District No. 5 to serve as their representative on the Lewis County Board of Legislators effective January 1, 1980 through December 31, 1987; and again from January 1, 1993 through December 31, 1997; thereafter elected for a third term to represent District No. 9 commencing January 1, 2006 through December 31, 2013; and

WHEREAS, **Jack T. Bush** had served as Vice-Chairman of the Lewis County Board of Legislators from 1994 through 1996; and thereafter was chosen unanimously by his colleagues to serve as Chairman of the Board of Legislators continuously for years 2006 through 2012; and

WHEREAS, during his reign as Chairman, Jack's knowledgeable expertise and leadership were integral throughout the planning and construction of the new Lewis County Courthouse; and

WHEREAS, **Jack T. Bush** was a consummate civic-minded leader who approached every challenge with personal regard and fairness, while respectfully welcoming participation from all interested parties that would effect decisions mindful of the best outcome to benefit the entire Lewis County citizenry; and

WHEREAS, **Jack T. Bush** provided exemplary service for many years as a volunteer firefighter with the Lowville Volunteer Fire Department and thereafter with the 3-G Volunteer Fire Department; as well as a member and past exalted ruler of the Lowville Elks Lodge; and

WHEREAS, it is proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the sincere, diligent and valuable services rendered by our former colleague **Jack T. Bush**.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That as an enduring record and mark of respect in memory of the deceased, **Jack T. Bush**, a true friend and honorable public official, this resolution shall be printed in the official record of the proceedings of the Board of Legislators of the County of Lewis, and a copy thereof shall be forwarded to the family of **Jack T. Bush**.

Moved by Legislator Hathway, seconded by all nine remaining Legislators, and unanimously adopted on the 2nd day of March, 2021.

MARCH 2, 2021

**RESOLUTION NO. 62 - 2021
RESOLUTION APPROVING EMPLOYMENT
SEPARATION AGREEMENT AND RELEASE**

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

BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators has reviewed and hereby approves a certain employment separation agreement and release with an employee of the Lewis County Sheriff's Office.

Section 2. That the Lewis County Board of Legislators further authorizes the Chairman or Vice-Chairman of the Board of Legislators to execute said agreement on behalf of the County, pending review by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator King, and adopted on the 2nd day of March, 2021.

**RESOLUTION NO. 63 - 2021
RESOLUTION CALLING ON NYS GOVERNOR ANDREW CUOMO
TO DEEM ALL LOCAL MUNICIPAL EMPLOYEES AS ESSENTIAL WORKERS
ELIGIBLE FOR THE COVID-19 VACCINE.**

Introduced by Legislator Richard A. Chartrand, District 5 Legislator.

WHEREAS, pursuant to NYS Public Health Law §2100, the local County Public Health Director is charged with the responsibility for protecting the community from public health risks associated with persons infected with communicable diseases, including the Covid-19 virus; and

WHEREAS, the Governor and NYS Department of Health (NYSDOH) require the local county health agencies to follow the distribution phases and categories for Covid-19 vaccine eligibility they determined to be appropriate throughout NYS, without regard to the particular needs and essential workers required in different parts of the State; and

WHEREAS, New York State has devised the eligibility list for distribution of the Covid-19 vaccine to include essential workers, but without including county, town and village employees as essential workers, which they most assuredly are. Most notably, DPW workers, plow drivers and solid waste workers in the North Country are essential and vital to municipal operations in the North Country; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, in Lewis County, a primarily agricultural and farming community, large private sector dairy industry businesses, such as Kraft-Heinz, are essential for the continued flow of the milk industry, requiring such workers to also be included in the definition of essential worker for Covid-19 vaccine eligibility; and

WHEREAS, the Board of Legislators seeks to have the Governor re-think the definition of essential workers to include all county, town, village and other local municipal employees and give them priority in receiving the Covid-19 vaccine, and large dairy business entities, or in the alternative, to allow local Public Health Agencies to use their discretion in determining essential workers in their respective counties.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby calls upon Governor Andrew Cuomo to immediately include all county, town, village and other local municipal employees to be deemed essential workers entitled to eligibility to sign up and receive the Covid-19 vaccine, along with large dairy business entities, or in the alternative, to allow the local Public Health Agency Directors to use their expertise and discretion to determine “essential workers” in the communities they serve.

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

Section 3. That the Clerk of the Board is directed to immediately forward a copy of this Resolution to NYS Governor Andrew Cuomo, NYS DOH Commissioner Howard Zucker, and any others the Chairman may direct.

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 2nd day of March, 2021.

OTHER BUSINESS:

There was a proclamation read recognizing Lewis County Office For the Aging Nutrition Program and “March For Meals”; there was a second proclamation read commemorating “March 15th through March 19th 2021 as Covid-19 Pandemic Memorial Week”.

Legislator Chartrand made a motion to adjourn, however County Attorney McNichol asked for an executive session, and therefore Legislator Chartrand withdrew his motion for adjournment.

MARCH 2, 2021

Legislator King made a motion at 6:35 p.m. to enter executive session for discussion on a potential liability matter, seconded by Legislator Virkler and carried. Legislator Hathway made a motion to enter regular session at 7:10 p.m., seconded by Legislator Osborne and carried.

Legislator Osborne made a motion to authorize County Attorney Joan McNichol to negotiate terms for reimbursement of the cost of a well to be drilled and if necessary, for the Highway Department to dig a ditch, and/or the cost associated with connecting to the Village of Lowville water for a property located on State Route 812 in Lowville, seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to refill one (1) full-time Dispatch position due to resignation effective immediately, seconded by Legislator Chartrand and carried.

There being no other business to come before the Board, Legislator Osborne made a motion to adjourn the meeting at 7:14 p.m., seconded by Legislator Virkler and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**REGULAR MEETING
April 6, 2021**

The meeting was called to order at 5:06 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: 7 Legislators were present, Legislators Burns, Chartrand, and Hathway had been excused. There were 9 other persons present.

Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the March 2, 2021 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
Ian Gilbert
Gregory Kulzer

Dated: April 6, 2021

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

PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened the public hearing session at 5:10 p.m. on submitting a NYS Community Development Block Grant Housing application for 2020 funds with Snow Belt Housing as the subrecipient; proposed Lewis County Agricultural and Farmland Protection Plan; and proposed NYS Police Reform and Reinvention Collaborative Plan.

Planning Director Casandra Buell stated that tonight's public hearing is for the purpose of hearing public comments on the County's community development and housing needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2020 housing funding round this year. The CDBG program provides funds to local governments for housing, economic development, public facilities, public infrastructure, and planning, with the principal beneficiaries being persons of low or moderate income. The CDBG program is administered by the New York State Office of Community Renewal. The program may also aid in eliminating slums and blight and in addressing urgent needs. This hearing will provide information about and allow for participation in the possible development of the grant application; receive comment on any proposed projects; and receive technical assistance to develop alternate proposals. The hearing is being conducted in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

Approximately \$10 million is available for Community Development Block Grant funding for housing activities for this funding round and the application is due April 9, 2021. The

APRIL 6, 2021

county can apply for up to \$1,000,000 for housing projects that would include: housing rehabilitation, homeownership assistance; replacement of mobile homes; and residential water and wastewater systems (such as well and septic system replacement) that primarily benefit low and moderate income persons.

At least 51% of the persons benefiting from the CDBG Program must be low and moderate-income persons according to the HUD income limits provided in the application. 70% of the NYS CDBG funds expended must benefit low and moderate income persons.

Snow Belt Executive Director Jaylyn Yuhas-Heames stated Snow Belt would like the county to consider two applications – the first is homeownership assistance for \$377,239 since the money has to be spent in two years from the time of award. The program would provide down payment, closing costs and repair assistance to income eligible applicants to purchase their first home. The assistance will be in the form of a 100% deferred payment loan for up to \$40,000 per unit that would become a grant as long as they remain in their home for ten years. The home must be an existing single-family home located anywhere in the county. Approximately nine households would be assisted.

The second application would be for an owner-occupied housing rehabilitation program that could provide a maximum of \$40,000 per unit to income eligible homeowners that would be in the form of a 100% deferred payment loan that would become a grant as long as they remain in their home for five years. The types of rehabilitation activities to be undertaken would include plumbing, electrical, roof, windows, insulation, well and septic replacement, and any work that would reduce health and safety hazards, accessible modifications could also be undertaken such as installing ramps as well as adding accessible kitchens or bathrooms. We would expect the amount of the grant would be approximately \$610,064 with fourteen households proposed to be assisted.

The proposed CDBG activities are not expected to result in any displacement. For housing activities, homeowners should not encounter displacement unless the home to be renovated contains extensive lead-based paint that would require the family to be out of the home while it is being stabilized. Snow Belt would administer the grants as a sub-recipient of the county. We would ask that anyone who is interested in either program to call us at (315) 376-2639, ext 4. We are asking interested persons to complete a short survey so they can be placed on a waiting list for assistance.

There were no public comments made or received at this time.

Village of Turin Mayor Josh Leviker submitted the following which was read into the record: “On behalf of the Village of Turin, we would like to thank all of the volunteer fire departments (Turin, Constableville, Martinsburg, Lyons Falls, Port Leyden, Lowville, Boonville, and 3-G). Due to our volunteer’s quick response and dedication the fully engulfed fire was contained to the Brick Block building, saving the neighboring homes. Additional “Thank You’s” to our local EMS, County Fire Coordinators, State & County police, Lewis County Highway Department, Town of Turin Highway Department, NYSDOT, National Grid, local restaurants who donated food and drinks, and the South Lewis School Administration who

PROCEEDINGS OF THE BOARD OF LEGISLATORS

worked with the Village Board by agreeing to close the school in an effort to conserve water, and lastly to all the local residents who offered to help in anyway or by just saying the kind words of “Thank You” as these words mean so much to our volunteer men and women. It was unfortunate to see this structure destroyed by fire as it was the focal point of the village since the mid to late 1800’s. A part of the village may be gone but will not be forgotten.”

PRESENTATION OF COMMUNICATIONS AND NOTICES:

A resolution was received from Hamilton County Urging the Governor and Federal Government to expand Broadband and Rural Cellular Coverage to all New Yorkers; A resolution was received from Fulton County calling upon NYS Legislators to Curtail Governor Andrew Cuomo’s Emergency Powers Authority; A resolution was received from Cattaraugus County urging Governor Cuomo to halt closure of Gowanda Correctional Facility.

A card was received from the Town of Diana Historical Museum thanking the Board of Legislators for their support and generosity. The February 25, 2021 minutes from the Intercounty Legislative Committee of the Adirondacks were received. Carol Murray submitted correspondence to the Board voicing her concerns over the well-being of our youth during the pandemic, specifically referring to their physical and mental health, and asking the Board to consider granting funds to Double Play Community Center to provide wellness opportunities for the youth of our communities.

Don Arthur submitted correspondence to the Board in support of the proposed resolution designating Lewis County as A Purple Heart Community but had concerns over the five memorial plaques that were taken out of the Courthouse lobby due to complaints of misspelled and missing names. He offered his research and assistance to get the plaques corrected so they could be redisplayed in the lobby by August 7th to continue to honor those individual’s sacrifice.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the March 2021 Treasurer’s report; Highway & Solid Waste March Audit reports; and Quarterly Bed Tax Report. The 2020 Annual reports have been received from Public Health and Social Services.

Senior Code Official Ward Dailey submitted his report on the former Lewis County Dairy Building recommending that the County assume a proactive stance and secure the building from unauthorized entry, citing Local Law 2-2007. He also submitted his report on a vacant condemned residence on the Number Four Road in the Town of Watson recommending that the County order the demolition and removal of this structure, citing Local Law 2-2007.

Brian Mooney submitted the February 2021 Sealer of Weights & Measures activity reports which have been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

APRIL 6, 2021

Legislator Osborne made a motion to approve the Cyber Liability Insurance renewal with Eastern Shore Associates through NYMIR for the period of April 5, 2021 to April 5, 2022 for a total premium of \$15,831.54, seconded by Legislator Kulzer and carried.

Legislator King made a motion to award bid for hot asphalt based on project location in accordance with the tabulation of all bids prepared by the Highway Superintendent and place on file with the Clerk of the Board, for the period April 1, 2021 through March 31, 2022, seconded by Legislator Moroughan and carried.

Legislator King made a motion to award bids to various vendors for bulk oil and lubricants in accordance with the tabulation of all bids and respective low prices on file with the Clerk of the Board, for the period of April 1, 2021 through March 31, 2022, seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize Buildings & Grounds Supervisor Matt O'Connor to send out an RFP for the boiler portion of the PSB project based on the specs that Fourth Coast designed, seconded by Legislator Moroughan and carried.

Legislator Moroughan made a motion to authorize Social Services Commissioner Jennifer Jones to re-fill one (1) full-time Social Services Program Examiner position due to promotion effective March 22, 2021, seconded by Legislator Virkler and carried.

Legislator Moroughan made a motion to authorize Public Health Director Ashley Waite to re-fill one (1) full-time Clerk position due to resignation effective immediately, seconded by Legislator Virkler and carried.

Legislator Moroughan reported that there are currently 43 active cases with 1 hospitalization, 2,013 total confirmed cases since last March, and unfortunately 29 deaths. She encouraged everyone that is eligible, 16 and older, to get vaccinated. There are 7,805 first doses given and 5,207 fully vaccinated residents in the county. In order to fully re-open the community we need to focus on vaccine education for the public.

Chairman Dolhof asked the board if they would like to move forward with the two grants that Planning Director Casandra Buell had mentioned to assist with Broadband Infrastructure in Lewis County. Casandra Buell stated that she would be brining the information up along with a resolution to set the public hearing for the one grant at the upcoming General Services Committee meeting on April 20th.

Upon the suggestion of Chairman Dolhof, Legislator Osborne made a motion to form an Ad Hoc committee for Broadband Infrastructure, seconded by Legislator Kulzer and carried. Chairman Dolhof stated that any legislator interested on being on that Ad Hoc committee should let him know. Chairman Dolhof then asked the board how much money they would feel comfortable setting aside for Broadband Infrastructure in Lewis County, suggesting an amount of \$2,000,000. Legislator Virkler questioned how that amount was derived, Chairman Dolhof stated he felt it was a good estimate of how much the infrastructure would cost due to the lack of coverage in our area.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Gilbert suggested that the Towns could also put in some money to assist with this large of a project. Chairman Dolhof stated that the \$2,000,000 suggestion could be viewed as a cap because the project could be less. There was further discussion on the amount to set aside for this project to be able to move forward with DANC. Legislator Kulzer suggested \$1,000,000 because there would also be grant funding available to assist, he cited the different equipment options available to use and that this could greatly affect what the project would cost. Legislator King agreed that without more information there is no way of knowing how much this project could cost.

Legislator Gilbert made a motion to set aside \$1,000,000 limit on the Broadband Infrastructure project for Lewis County, seconded by Legislator Osborne and carried.

Lewis County General Hospital CEO Jerry Cayer reported that visitations are nearly back to normal in all areas of the hospital, which is long overdue and is already making physical positive changes to residents' health. In other areas of the hospital most restrictions have been lifted.

He then gave a brief presentation on the hospital's Capital Project beginning by sharing that NYS is lagging in hospital infrastructure improvements compared to other states and that a Certificate Of Need has not been approved in the last twenty years. There is a critical need for capital infrastructure improvements for NYS hospitals, including Lewis County Health System. The hospital has not completed a major renovation since 2007 and prior to that was in the 1960's. The current hospital houses a 25 bed critical access hospital; 160 bed long term care facility; 4 offsite community health clinics; and 7 onsite health practices. Jerry Cayer shared the design drawings and where the Surgical Pavilion would be going.

There are five major things that need to come together in order to move the project forward. The first is getting the Certificate Of Need (CON) approval for the Medical Surgical/ICU Revitalization Initiative, which could happen after the meeting with NYS Public Health and Health Planning Council on June 8th. The second is Critical Access Hospital (CAH) Re-certification which should have happened in May 2020 but has been pushed off several times and is now slated for the end of December 2021. This Re-certification is critical to this project and became an issue when the road designations were changed back in 2015 making our hospital no longer eligible by the new definition. Both NYS Congresswoman Elise Stefanik and U.S. Senator Charles Schumer have been instrumental in pushing this issue forward for resolution. The third is the Public Bidding process which was started but then put on pause due to the CON approval being pushed back. The fourth is Issuance of the \$33 million bond, which won't go forward until the CON approval is issued as well as the CAH Re-certification. The last is the Lewis County General Hospital Foundation Capital Campaign, which has a \$2.4 million goal and is promoting this project using "Honoring the Legacy, Building the Future".

The timeline of these items is as follows: 4/5/2021 – Zoom meeting with DOH CON Unit; 6/8/2021 NYS Public Health and Health Planning Council for CON approval; 6/2021 – 12/2021 CAH Re-certification; 6/2021 – 12/2021 Public Bidding Process; 7/2021 – 12/2021 Issuance of \$33 million bond; 8/2021 through reaching \$2.4 million goal; 3/2022 – 4/2022

APRIL 6, 2021

Shovel in the ground; 12/2023 Project Completion. If the CON is not issued until late summer, it could bump this project completion beyond 2023.

COUNTY MANAGER REPORT:

Ryan Piche reported that the budget is officially delayed, it was supposed to be approved by April 1st and if it is not settled by April 7th there would be repercussions of delayed paychecks for state employees. The marijuana issue has been settled and you can now legally carry 3oz. on your person and can have a certain amount in your home. The sales tax plan for marijuana did not shake out in the favor of counties with 9% going to the state plus and excise tax, 1% going to counties, and 3% going to local municipalities. We currently do not have a sales tax sharing agreement with any of our Towns and none of our Towns collect sales tax, but this could be an incentive for Towns to not cause zoning issues with dispensaries. The state is also creating a new state agency to manage this plan as well as offer assistance.

The 20% cut in CHIPS funding has been restored and the state legislature has increased the CHIPS funding by 30% in the new draft budget. There is a proposal in the draft budget to increase income tax for the wealthy. Legalized Sports Betting is likely to happen just not entirely sure how. The Governor wants a State agency to handle this but it would be more beneficial to us if the casino's can handle it as we get a share of their revenue.

The Federal Stimulus Funds will need to be discussed further at the Finance & Rules Committee to make a plan on what to use them for. Even though \$1,000,000 is ear marked for Broadband Infrastructure there are still many other opportunities and programs that the county can assist with for pandemic recovery in our local communities.

COUNTY TREASURER REPORT:

Eric Virkler reported that the cash balances for the county are healthy and encouraged thinking about and building a plan to utilize some of these funds. The recent reimbursements from the State are beginning to show the 20% cuts from last year. Legislator Gilbert asked for Eric's opinion on the moratorium on foreclosures, Eric responded that he believes it will continue to be extended.

Chairman Dolhof closed the public hearings at 5:56 p.m. after no public comments were received.

REPORT OF THE FINANCE AND RULES COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

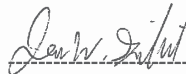
To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,557,141.55 and recommend that they be audited and allowed for the amounts claimed.

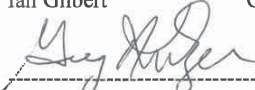


Thomas Osborne Chair

Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee

Phil Hathway Committee

Dated: April 6, 2021

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

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County Manager Ryan Piche gave a brief presentation on re-branding for the county. The thought was to create a cohesive image that represents the county. There were examples shown from Naturally Lewis, Chamber of Commerce, and Lewis County Health System. The first design was from Coughlin located in Lowville. The second design was from an online group called 99 Designs. The third was design was from Rachel Grunert, a Lewis County resident. There was discussion on each of the designs as well as showing the difference in appearance if printed in black and white versus color. Legislator Osborne, Dolhof, and Virkler all thought design three looked good. Legislator Dolhof stated that without an explanation of what design three symbolized it could be confusing. Legislator King liked design two but thought there should be more in the background. There was further discussion on the designs and some alterations to them.

Casandra Buell, Planning Director mentioned that to make it look professional because this will be on our county letter head it is better to keep it simple and a clean design. Most of the legislators felt that design three was the best option but wanted to make a few minor changes if possible. Ryan stated that he would reach out to Rachel Grunert to see if she could come in and meet with the Legislators in the next few weeks to work with them on finalizing her design.

**RESOLUTION NO. 64 – 2021
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 \$ 1,557,141.55 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Kulzer, seconded by Legislator King, and adopted on the 6th day of April, 2021 by the following roll call vote:

AYES: Gilbert, Moroughan, Virkler, Osborne, King, Kulzer, Dolhof

NAYS:

ABSENT: Hathway, Burns, Chartrand

**RESOLUTION NO. 65 - 2021
RESOLUTION AUTHORIZING AMENDMENT TO THE 2020/2021 ANNUAL
RENEWAL AGREEMENT WITH THE UNIFIED COURT SYSTEM
FOR COURT CLEANING AND MINOR REPAIR SERVICES**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, in 2018, the County entered into a five (5) year agreement (C300423) with the NYS Unified Court System (“UCS”) (April 1, 2018 – March 31, 2023) for the purpose of providing interior cleaning services of the Lewis County Court House (“Court Facilities”), and providing as minor and emergency repairs and preventive building and property maintenance services for the facility; and

WHEREAS, UCS provides annual renewal agreements which address the maximum amount of reimbursement UCS will pay to the County for such services in each particular year, in accordance with the County’s submission of an annual compensation reimbursement budget and scope of services to be rendered; and

WHEREAS, the County provided and submitted the proposed annual compensation reimbursement budget and scope of services to the State for the annual period from April 1, 2020 through March 31, 2021. UCS agreed to the budget and services, with the Board of Legislators thereafter authorizing and approving the annual renewal agreement for this period pursuant to Resolution No. 341 - 2020, with reimbursement of \$125,531.00; and

WHEREAS, UCS has now forwarded an amendment to the 2020/2021 agreement to reduce the reimbursed amount payable to the County to \$116,867.00, by its revisions to the proposed budget for this period; and

WHEREAS, the Board of Legislators seeks to authorize the amendment to the annual renewal agreement representing a reduction in the annual reimbursed payment to the County.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the 2020/2021 annual renewal agreement with the NYS Unified Court System, for the provision of cleaning and maintenance services for the Lewis County Court Facility and grounds, which reduces the compensation to be reimbursed to the County to \$116,867.00 for this annual period.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such amended renewal agreement, and all additional annual renewal agreements and any amendments thereto pertaining to the five-year Agreement, pending approval by the County Attorney.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 66 - 2021
RESOLUTION AUTHORIZING AMENDMENT TO TYLER TECHNOLOGIES, INC.
SOFTWARE, PRODUCTS AND SERVICES AGREEMENT**

APRIL 6, 2021

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

WHEREAS, in 2015, the Lewis County Board of Legislators authorized a contract between the County of Lewis and Tyler Technologies, Inc. to provide a comprehensive software, software licenses, Pre-Implementation Services and Implementation Services (including data conversion) and to replace the Integrated Finance Management and Access System (“IFM”) previously used by the County to improve productivity, efficiency and document management in a modern technological system; and

WHEREAS, the Information Technologies Director has identified two (2) items in the yearly maintenance plan which are not used, but are costing \$3,613.20 per year. The Director has also identified the need for a Tyler training package at a cost of \$3,000.00, and requests that these amendments to the contract and maintenance plan be authorized; and

WHEREAS, the Board of Legislators seeks to authorize these amendments to the Tyler contract and maintenance plan;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves an amendment to the Tyler Technologies, Inc., contract to provide for the training package of \$3,000.00 and the elimination of the Civil Service (\$1,869.00) and Work Orders (\$1,743.30) annual maintenance fees for these items which have not be used.

Section 2. That the IT Director is hereby authorized to execute these Change Orders and Amendments to the Contract, pending review and approval by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

RESOLUTION NO. 67 - 2021
RESOLUTION TO ADOPT LEWIS COUNTY REPORT/PLAN IN RESPONSE TO
NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE
EXECUTIVE ORDER

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

WHEREAS, pursuant to NYS Executive Order No. 203, signed by the Governor on June 12, 2020, all local governments with policing entities were tasked with formation of a committee/task force of local interested parties (“stakeholders”) to review current police force deployments, strategies, policies, procedures, and practices in its municipal police force; to develop a plan with recommendations to meet goals identified; to allow for public comment by

PROCEEDINGS OF THE BOARD OF LEGISLATORS

the citizens in the locality; to present the proposed plan to the County Board of Legislators for adoption/ratification; and then for the County to certify the existence of the plan and its adoption to the State Director of the Division of the Budget; and

WHEREAS, the Lewis County Chairman of the Board convened the Lewis County Sheriff and community stakeholders in a series of meetings between December, 2020 and March, 2021 to comply with the Executive Order. The group convened for a final time on March 12, 2021 to review the Final Report for submission to the Lewis County Board of Legislators for consideration and approval; and

WHEREAS, the Board of Legislators, having set a public hearing for April 6, 2021 to hear any and all additional comments with respect to the proposed Report of the Lewis County Police Reform and Reinvention Collaborative Task Force, wishes to accept and adopt said Report and to file same with the NYS Director of the Division of Budget;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and adopts the attached Report as the Lewis County Police Reform and Reinvention Collaborative Plan, in satisfaction of NYS Executive Order No. 203.

Section 2. That the Clerk of the Board is hereby directed to retain a copy of the Report/Plan in the Board of Legislators' Office and distribute the same to all Department Heads and any others the County Manager may deem appropriate.

Section 3. That the Clerk of the Board is further directed to forward a Certified copy of this Resolution and the Plan/Report to the New York State Director of the Division of Budget.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

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New York State Police Reform and Reinvention Collaborative

Lewis County, New York

March 12, 2021

Final Report for Legislative Approval and Submission to New York State

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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I. Background

On June 12, 2020, Governor Andrew Cuomo issued Executive Order 203 directing municipalities that employ police officers to actively engage stakeholders in the local community and develop locally approved plans for the strategies, policies and procedures of local agencies. In accordance with this order, the Lewis County Board of Legislators convened the mandatory panel to discuss current practices at the Sheriff's Office, and to focus on what improvements can be made. The following is a description of the process undertaken in Lewis County, and the plan agreed upon by the stakeholders. It is submitted, with respect, to the Lewis County Board of Legislators for review and discussion.

II. Project Goals

To meet the New York State Police Reform and Reinvention Collaborative requirements with the Lewis County Sheriff's Department, in good faith and as simply as possible, by assessing current policing practices, listening to community input and building a plan that:

1. Fosters trust through transparency: community understanding and input on our policing approaches.
2. Legitimizes good policing by capitalizing on current policing efficiencies and addressing what needs modernizing.
3. Safeguards fairness through review and updating policies to ensure police protocol objectively and minimizing County liability.

III. Committee and Process

Established by the Lewis County Board of Legislators, the Police Reform and Reinvention Collaborative Stakeholder Working Group consisted of the following individuals:

1. Lawrence Dolhof, Chairman, Board of Legislators
2. Thomas Osborne, Legislator, Chair of Finance and Rules Committee
3. Jerry King, Legislator, Chair of General Services Committee
4. Ryan Piche, County Manager
5. Michael Carpinelli, Sheriff
6. Jason McIntosh, Undersheriff
7. Leanne Moser, District Attorney
8. Mark Lemieux, Assistant District Attorney
9. Michael Young, Public Defender
10. Joan McNichol, County Attorney
11. Jennifer Jones, Commissioner, DSS
12. Patricia Fralick, Director, Community Services
13. Douglas Premo, Superintendent, South Lewis School
14. Matthew Morrow, Probation Director

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Others Present:

- Christie Andrus-Nakano, The Human Factor, Facilitator

Between December 2020 and March 2021, the working group met on five separate occasions. A recording of each session is linked below.

1. [December 23, 2020 – Introductory Meeting: Discussion of “Areas of Focus”](#)
2. [January 28, 2021 – Deeper Dive on “Areas of Focus”](#)
3. [February 4, 2021 – Deeper Dive on “Metrics for Improvement”](#)
4. [March 3, 2021 – Community Listening Session](#)
5. [March 12, 2021 – Plan Review and Approval](#)

Following the March 12th meeting, the plan will be forwarded to the [Lewis County Board of Legislators General Services Committee on March 16th](#) for comment and approval. Following the March 16th meeting, the report will be reviewed and adopted by the full Board of Legislators on April 6th, following a public hearing on the report. Once approved on April 6th, the report will be filed with the New York State Director of the Division of Budget.

IV. Areas of Focus

In an effort to be constructive and productive, the working group focused our discussion on the theme: *Local Policing, Where We Get It Right and Where We Can Grow*. Using the services of a facilitator, the working group focused and confirmed the project parameters, discussed current policing strengths, and weighed opportunities to further advance actions and policies to achieve the goals of fostering trust, legitimizing good policing and safeguarding fairness. The [NY State Police Reform and Reinvention Collaborative Guide for Public Officials and Citizens \(August 2020\)](#) provided the framework themes for the discussion. After review of the potential topics, the stakeholders selected the following key focus areas:

1. Policing and Mental Health, Substance Abuse, and Homelessness
2. Police Standard Operating Procedures (SOPs)
3. Police Training

The Sheriff’s Department provided sample policies, reports and response samples to the working group as a means of illustrating current policing practices. Resulting discussions identified strengths in current policing practices as well as opportunities for growth.

V. Growth Opportunities and Metrics for Improvement

Drilling down on each “Area of Focus,” the working group identified the following areas where the Lewis County Sheriff’s Office has opportunity to grow:

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Focus Area One: Policing and Mental Health, Substance Abuse and Homelessness

Growth Opportunity: In this arena, the working group recognizes that the training regimen for road patrol deputies could benefit from accessing local community support agencies to provide specialized training specific to the Lewis County community. By incorporating local agencies, the Department can both enhance the quality of in-service training, and also build relationships with other local service providers.

Metric for Improvement: In order to track the success of the growth opportunity, the Sheriff's Office shall submit quarterly reports to the Board of Legislators' General Services Committee detailing the types of training, number of trainings, number of attendees, and the number of training hours completed by the Sheriff's Office during the preceding quarter.

Focus Area Two: Police Standard Operating Procedures (SOPs)

Growth Opportunity: In this area, the working group recognizes there are strong links between mental health, substance abuse, and crime in the Lewis County community. The working group understands that multiple agencies, committees, and working groups are already established to address these issues in Lewis County. The Sheriff's Office would benefit from greater participation and integration with these ongoing efforts.

Metric for Improvement: In order to track the success of this growth opportunity, the Sheriff's Office shall meet quarterly with mental health, substance abuse, and homelessness stakeholders that are already dealing with these key issues. The quarterly meeting will provide a forum for sharing statistics, identifying common areas of concern, and building cohesive relationships between service providers in Lewis County.

Focus Area Three: Police Training

Growth Opportunity: In this area, the working group recognizes that the Sheriff's Office training regimen is guided by the Department of Criminal Justice Services, which establishes a rigorous standard for Deputies. Allowing the public a better understanding of the type, quality, and frequency of training completed by the Sheriff's Office would increase public confidence and awareness of police proficiency. Additionally, a fuller understanding of training requirements would assist the County with budget and grant funding requests.

Metric for Improvement: In order to track the success of this growth opportunity, the Sheriff's Office shall submit quarterly reports to the Board of Legislators' General Services Committee detailing the types of trainings, number of trainings, number of attendees, and the number of training hours completed by the Sheriff's Office during the preceding quarter.

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VI. Public Engagement

A Public Listening Session was held virtually on March 3rd, 2021. One participant, Joe Hall of Lowville, provided comment on Sheriff Carpinelli's preferred leadership style, and asked who the Sheriff admires as a law enforcement leader. Sheriff Carpinelli recalled Chiefs he had worked with at the Rochester Police Department, specifically identifying the leadership quality of equality in dealing with the public.

A second opportunity for public comment will be held April 6th at 5:00, prior to the adoption of the report by the Lewis County Board of Legislators.

VII. Conclusion

The Lewis County community is generally satisfied with policing by the Sheriff's Office. In a survey conducted by the Jefferson Community College Center for Community Studies in October of 2020, 76% of Lewis County residents rated "Policing and Crime Control in Lewis County" as "excellent or good." This is the most positive result in the tri-county region, and confirms what many in the working group already knew: that Lewis County is a safe community to live, work, play, and raise a family.

We recognize, of course, that there is always room for improvement. It will be important for the Board of Legislators track the metrics for improvement to ensure the identified growth opportunities are being fully capitalized upon by the Sheriff's Office.

END REPORT

**RESOLUTION NO. 68 - 2021
AUTHORIZING APPLICATIONS FOR 2020 SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT**

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

WHEREAS, the Board of Legislators has heretofore duly advertised and held a public hearing on the 6th day of April, 2021 and has considered the comments presented thereat regarding housing and priority community development needs; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the filing of two 2020 Small Cities Community Development Block Grant (CDBG) Applications to secure funding to assist low and moderate income households with homeownership assistance and

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housing rehabilitation within Lewis County in an amount not to exceed \$1,000,000 and other such related activities as may be determined.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such applications, documents or writing as may be necessary to carry out the terms of this Resolution.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 69 - 2021
RESOLUTION ESTABLISHING LEAD AGENCY STATUS AND
NEGATIVE DECLARATION UNDER THE STATE ENVIRONMENTAL
QUALITY REVIEW ACT FOR ADOPTION OF THE LEWIS COUNTY
AGRICULTURAL AND FARMLAND ENHANCEMENT PLAN**

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

WHEREAS, agriculture in Lewis County is an important component of the local economy. The Lewis County Board of Legislators (“Board”) authorized an application to the New York State Department of Agriculture and Markets for a grant for agricultural farmland protection; and

WHEREAS, on May 29, 2019 Lewis County was awarded a New York State Department of Agriculture and Markets grant in order to update the Agricultural Enhancement Plan approved by the Board in 2004; and

WHEREAS, said grant funding by New York State Department of Agriculture and Markets was accepted by the County; and

WHEREAS, pursuant to Resolution 352-2019, the Board approved a contract with Community Planning and Environmental Associates of Berne, New York, to provide consultant services to develop an Agricultural and Farmland Enhancement Plan for Lewis County; and

WHEREAS, the Lewis County Agricultural and Farmland Enhancement Plan had significant input from the agriculturally related agencies and organizations, farmers, agribusiness in the County, and others over an eighteen-month time period; and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board and its Steering Committee have completed work in conjunction with consultant services to develop an updated Lewis County Agricultural and Farmland Enhancement Plan designed to enhance agriculture in Lewis County; and

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WHEREAS, pursuant to Agriculture and Markets Law Section 324, the Lewis County Board of Legislators conducted a public hearing on April 6, 2021 for public input regarding the final draft of the Lewis County Agricultural and Farmland Enhancement Plan and submitted said Plan to the Board for its approval; and

WHEREAS, the State of New York has enacted the State Environmental Quality Review Act (SEQRA) Article 8 of the New York State Environmental Conservation Law and Part 617 of Title 7, New York Code, Rules and Regulations (6 NYCRR) to incorporate consideration of environmental factors into existing planning, review and decision-making processes of local governmental agencies; the Lewis County Agricultural and Farmland Enhancement Plan is subject to SEQRA; and

WHEREAS, there are no other involved agencies as defined by SEQRA and thus no coordinated review is required;

WHEREAS, SEQRA requires that all agencies determine whether the actions they directly undertake, fund, or approve may have a significant effect on the environment;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Legislature hereby declares itself lead agency in carrying out the environmental review of the Agriculture Enhancement Plan under the State Environmental Quality Review Act (SEQRA).

Section 2. That the adoption of the Lewis County Agricultural and Farmland Enhancement Plan is designated a Type I action with a Full Environmental Assessment Form prepared.

Section 3. That based upon the information provided and discussed, including the Environmental Assessment Form, the attachments and narratives received, the Lewis County Board of Legislators has determined that the proposed action of adoption of the county-wide Agricultural and Farmland Enhancement Plan will not result in any significant adverse environmental impacts.

Section 4. That as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the County, as lead agency, hereby issues a Negative Declaration and directs that the Chairman file and make available the same in accordance with the requirements of SEQRA.

Section 5. That the Chairman of the Lewis County Board of Legislators is hereby authorized, upon review and approval of the County Attorney, to sign all documents related to this process and determinations.

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

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Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 70 - 2021
AUTHORIZING THE ADOPTION OF THE LEWIS COUNTY
AGRICULTURAL AND FARMLAND ENHANCEMENT PLAN**

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

WHEREAS, Lewis County was awarded a New York State Department of Agriculture and Markets grant in order to update the Lewis County Agricultural Enhancement Plan developed in 2004; and

WHEREAS, the duties of the Lewis County Agriculture and Farmland Protection Board, established in accordance with Article 25-AA, Section 302 of the New York State Agriculture and Markets Law, include assessment and approval of County Agricultural Enhancement Plans; and

WHEREAS, the Lewis County Agriculture and Farmland Protection Board received significant public input in its development of the Lewis County Agricultural and Farmland Enhancement Plan (“the Plan”); and

WHEREAS, the Lewis County Agriculture and Farmland Protection Board approved the Plan on February 8, 2021 and has referred the Plan to the Lewis County Board of Legislators; and

WHEREAS, the Lewis County Board of Legislators held a public hearing on April 6, 2021 to receive public comment and input on the Plan; and

WHEREAS, the Lewis County Agricultural and Farmland Enhancement Plan contains updated census information, new ag-economic data, up-to-date maps and an analysis of the strengths, weaknesses and opportunities for agriculture, long-term vision and goals, and a series of recommended strategies to enhance agriculture in the County and an action Plan to guide implementation of programs; and

WHEREAS, the Lewis County Board of Legislators has completed SEQRA review and determined that the proposed action of the updated county-wide Agricultural and Farmland Enhancement Plan is a Type 1 Action and will not have a significant adverse environmental impact;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby adopts the updated Lewis County Agricultural and Farmland Enhancement Plan and recognizes the critical role agriculture plays in the County’s economy, environment, and quality of life. That the adoption of the Lewis

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County Agricultural and Farmland Enhancement Plan will not have a significant adverse environmental impact pursuant to SEQRA and that an environmental impact statement will not be required.

Section 2. That digital copies of this Plan and all its maps will be placed and maintained in a prominent location on the Lewis County website along with supporting and connected documents such as the County Right-to-Farm law, along with information that promotes easy information sharing such as a listing of towns in the County having right-to-farm laws, links to farm-related agencies such as the Soil and Water Conservation District and Cornell Cooperative Extension, and the listing of contacts for the Agricultural and Farmland Protection Board and the Agricultural Sustainability Committee.

Section 3. That certified copies of this Resolution be forwarded to the Lewis County Agricultural and Farmland Protection Board, Cornell Cooperative Extension Services, Lewis County Soil and Water Conservation District, and the Commissioner of Agriculture and Markets of the State of New York.

Section 4. That the Chairman of the Lewis County Board of Legislators is authorized and directed to submit said plan and related documentation to the Commissioner of the New York State Agriculture and Markets for approval.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 71 - 2021
RESOLUTION AUTHORIZING APPOINTMENT AS ADMINISTRATOR OF
ASSIGNED COUNSEL PANEL FOR INDIGENT LEGAL 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, County Law §722(2) authorizes a county to provide representation through a corporation, voluntary association, or organization permitted to practice law under the authority of § 495 of the Judiciary Law, which includes organizations which have as their primary purpose the furnishing of legal services to indigent persons; and

WHEREAS, the Lewis County Board of Legislators has engaged the services of Lewis Defenders, PLLC to provide such services under contractual agreement. Pursuant to said

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contract, Lewis Defenders, through one of its partners Michael F. Young, Esq. has been designated as Administrator of the Assigned Counsel Panel (ACP); and

WHEREAS, the Office of Indigent Legal Services (ILS) has raised concern as to the appearance of a conflict of interest in Lewis Defenders' counsel serving as the main Administrator of the ACP; and

WHEREAS, in order to address the concerns of ILS, it is recommended that the Board of Legislators consider the appointment of Jessica L. Young, Esq., of Durr, Riley & Young, PLLC, to serve as the Administrator of the Assigned Counsel Panel, pursuant to a contract to include compensation of \$2,000.00 per month for said services, payable from the Hurrell-Harring Grant funds;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and appoints Jessica L. Young, Esq., of Durr, Riley & Young, PLLC, of Boonville, NY, to provide professional services as Indigent Legal Services Administrator of the Assigned Counsel Panel for Lewis County through a contract with Lewis County, commencing and retroactive to March 1, 2021 through February 28, 2022, with the right to annual renewals upon mutual agreement.

Section 2. That the professional services as Administrator of the ACP shall be compensated at a monthly, all inclusive rate of \$2,000.00, payable under the funding from the Hurrell-Harring Grant funds.

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

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 72 - 2021
RESOLUTION AUTHORIZING AGREEMENT WITH
PERCIVAL LAND AND TIMBER, LLC (DOMAIN TIMBER ADVISORS, LLC)
FOR A TEMPORARY ACCESS EASEMENT ALONG THE ABANDONED BALD
MOUNTAIN ROAD IN THE TOWN OF DIANA FOR THE COUNTY'S MOTORIZED
ATV RECREATIONAL TRAIL SYSTEM**

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

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WHEREAS, Percival Land and Timber, LLC, (Percival) a Kentucky Limited Liability Company, purchased the property previously owned by the Molpus Woodlands Group, LLC (Molpus) in the Towns of Diana and Croghan; and

WHEREAS, Molpus granted the County a temporary access easement agreement for the Director of Recreation, Forestry and Parks to develop and extend the County's ATV recreational trail system from the Bryant's Bridge Road in the Town of Diana (currently open to ATV's), along the abandoned Bald Mountain Road in the Town of Diana to the Oswegatchie Conservation Easement in the Town of Croghan. This access enabled the County to add to the motorized trail system and to connect to the trails in the Northern parts of the County, all in compliance with the procedures required under the County's Local Law Establishing the Lewis County Trail System; and

WHEREAS, Percival is interested in entering into a Temporary Access Agreement for Public Recreational Trail with the County to allow for the continuation of this temporary access easement which is a critical connector to the northern part of the trail system;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with Percival Land and Timber, LLC (and its agent Domain Timber Advisors, LLC) for a temporary access easement to the County for access and development of the County's public motorized (ATV) recreational trail system in Northern Lewis County, from the Bryant's Bridge Road in the Town of Diana (currently open to ATV's), along the abandoned Bald Mountain Road in the Town of Diana to the Oswegatchie Conservation Easement in the Town of Croghan.

Section 2. That the term of this temporary access easement shall be for five (5) years, unless and until terminated upon thirty (30) days notice. The agreement may be renewed and or extended upon mutual written 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 Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 73 - 2021
RESOLUTION TO APPROPRIATE FUNDS
Recreational Trails**

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

BE IT RESOLVED as follows:

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Section 1. That the following 2021 budget change be approved in the Recreational Trails and Trail Maintenance accounts for the purchase of a Trailer with a cost of \$18,200.00, with funding shared equally by Project HAD Capital Equipment H0990100 499900 and the Trail Maintenance fund.

Increase Revenue:

A0100000 350310 Interfund transfers \$9,100.00

Increase Expense:

A0798900 223300 Trails Veh \$9,100.00

Increase Revenue:

A0799000 320010 Trail Perm \$9,100.00

Increase Expense:

A0799000 223300 Trail Mnt Veh \$9,100.00

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 74 - 2021
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
WEST PUBLISHING CORPORATION – “CLEAR” SUBSCRIPTION**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into an agreement with West Publishing Corporation (West) for their CLEAR Government software program, which allows DSS to instantly locate both people and businesses and authenticate their identities as needed for Fraud Investigation, CPS, APS and other program areas.

WHEREAS, this program will replace the LexisNexis service previously used by DSS, at a lower annual cost; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Board of Legislators hereby authorizes a contract between the County of Lewis, by and through the Lewis County Department of Social Services and West Publishing Corporation's CLEAR software subscription product for the purpose of search technology to locate people and businesses and authenticate their identities.

Section 2. That the agreement is for the period beginning April 1, 2021 through March 31, 2022, and is at a cost of \$60.48 per month (total of \$726.26 for one year). This is a 25% Local Share cost and 75% Federal Share cost.

Section 3. That the Lewis County Commissioner 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 Kulzer , seconded by Legislator Virkler , and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 75 - 2021
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LIBERTY TRANSLATIONS & INTERPRETERS, LLC**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services ("DSS") wishes to enter into a renewal 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 renewal 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 3, 2021 through March 3, 2023 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; Telephonic Cancellation \$1.50 per minute; and American Sign Language - \$80.00 per hour. The local share is 25%, federal share is 50% and state share is 25%.

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

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

Moved by Legislator Kulzer , seconded by Legislator Virkler , and adopted on the 6th day of April, 2021.

RESOLUTION NO. 76 - 2021
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND SNOW BELT HOUSING COMPANY, INC.

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the pursuant to NYS Office of Temporary and Disability Assistance (OTDA), the Lewis County Department of Social Services (DSS) is charged with housing the homeless when the temperature is below 32 degrees (including the windchill factor), known as “Code Blue” expenses. Code Blue expenses are 100% reimbursed by OTDA; and

WHEREAS, in late February, OTDA notified DSS that the Code Blue Cycle of \$20,500 in recommended reimbursement expenses for the 2020-2021 season (October 1, 2020 – September 30, 2021) will be through Grants Gateway Cares Act funding contracted with Snow Belt Housing Company, Inc., (Snow Belt), instead of the direct reimbursement from OTDA to DSS in prior years; and

WHEREAS, the change in the reimbursement process and funding source necessitates a Memorandum of Understanding (MOU) with Snow Belt in order for DSS to invoice and obtain Code Blue funding reimbursements; and

WHEREAS, the Board of Legislators wishes to authorize the MOU;

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 and Snow Belt Housing Company, Inc., for the purpose of invoicing and receiving reimbursement of Code Blue expenses pursuant to OTDA funding and requirements.

Section 2. That this is for the 2020-2021 Code Blue Season and any future Code Blue seasons where the reimbursement of said expenses remains through Snow Belt Housing Company, Inc.

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

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

Moved by Legislator Kulzer , seconded by Legislator Virkler , and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 77 - 2021
RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT BETWEEN
LEWIS COUNTY o/b/o SOLID WASTE DEPARTMENT
AND BARTON & LOGUIDICE FOR CONSTRUCTION MANAGEMENT
PROFESSIONAL SERVICES**

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

WHEREAS, pursuant to Resolution No. 45-2020, the Lewis County Board of Legislators authorized an agreement with Barton & Loguidice (“B&L”) to provide professional engineering and architectural services for the Solid Waste Transfer Station Improvement Project, including conceptual site plans, design development (including RFPs) and subsurface investigation, SEQRA compliance assistance, and site plan submission and approval from NYS DEC, at a cost not to exceed \$105,500.00; and

WHEREAS, the project is now moving toward the construction phase, requiring professional construction administration, oversight, and special inspections. B&L has provided the Director of the Solid Waste Department with a proposal outlining the scope of services it seeks to provide in the construction phase, including construction administration services, part time construction observation of the facility construction with required special inspections, coordination of testing and inspections by the appropriate agency, for a cost not to exceed \$51,250.00, with substantial completion scheduled for October 1, 2021; 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, Liverpool, NY 13088 to provide professional construction administration and inspection services associated with the construction of the Solid Waste Transfer Station Improvement Project located at 7652 State Route 26, Lowville, New York, at a cost not to exceed \$51,250.00, as set forth in its proposal dated February 16, 2021, payable from the Solid Waste Capital Projects account.

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

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

Moved by Legislator Kulzer , seconded by Legislator Virkler , and adopted on the 6th day of April, 2021.

RESOLUTION NO. 78 - 2021
RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE SOLID WASTE
TRANSFER STATION SCALE HOUSE BUILDING CONSTRUCTION PROJECT

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

WHEREAS, the Lewis County Solid Waste Department, with the assistance of Barton & Loguidice engineers, recently sent out a Request for Proposals for furnishing of all labor and material necessary for the construction of a wood framed Scale House building, including HVAC, electrical and plumbing as described in the RFP and other bid documents at the Lewis County Lowville Transfer Station; and

WHEREAS, the Solid Waste Director, the engineer consultant, County Manager and members of the General Services Committee opened the bids on March 17, 2021 at 10:00 am, considered the responses to the RFP and recommend that all bids be rejected; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby rejects all bids received and opened on March 17, 2021, in response to the RFP for construction of the scale house building at the Lewis County Lowville Transfer Station.

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

Moved by Legislator King , seconded by Legislator Moroughan , and adopted on the 6th day of April, 2021.

RESOLUTION NO. 79 - 2021
RESOLUTION APPROVING CORRECTION OF TAX BILL

Introduced by Legislator Thomas Osborne, Chair of the Finance & 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,

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Martinsburg, New Bremen, Watson, and West Turin which allowed them to deduct from taxes the franchise paid to the Towns.

Section 1. That payment be accepted as follows:

Croghan	#538.00-08-06.000 \$	2154.92	Charge Town:	435.86
	#538.00-05-06.000	239.44		48.43
	#538.00-08-00.000	614.69		160.51
Denmark	#552.00-03-00.000	212.60		109.27
	#552.00-05-00.000	19.88		10.22
Diana	#552.00-05-08.000	233.52		99.61
Greig	#542.02-07-09.000	830.11		324.12
Lewis	#550.00-10-11.000	272.14		258.72
Leyden	#550.00-07-12.000	596.91		184.68
	#550.00-10-12.000	293.99		90.96
	#550.00-07-00.000	225.70		36.71
Lowville	#550.00-05-00.000	713.85		218.68
	#550.00-05-13.000	1429.30		332.52
Lyonsdale	#550.00-07-00.000	133.57		24.16
	#550.00-07-00.000	743.90		157.56
Martinsburg	#542.02-05-15.000	252.09		110.56
New Bremen	#552.00-08-02.000	927.07		278.10
	#542.05-08-05.000	61.53		20.93
	#552.00-08-00.000	42.29		20.47
Watson	#542.02-08-21.000	122.76		82.75
	#542.02-07-21.000	186.60		125.79
	#542.02-05-21.000	181.68		122.48
West Turin	#550.00-07-00.000	80.79		35.41
	#550.00-07-00.000	399.91		77.46

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 \$3,365.96.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 80 – 2021
RESOLUTION DESIGNATING LEWIS COUNTY
AS A PURPLE HEART COMMUNITY**

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

APRIL 6, 2021

WHEREAS, the Purple Heart is a combat decoration and our nation's oldest military medal, first created by General George Washington in 1782; and

WHEREAS, the Purple Heart medal is awarded to any member of the Armed Forces of the United States who, while serving under competent authority in any capacity with one of the US Armed Services, has been wounded, killed or has died after being wounded by enemy action. The heritage the medal represents is sacred to those who understand the price paid to wear it; and

WHEREAS, nationally, Purple Heart Day is observed on August 7th each year, and is a time for Americans to remember and honor the brave men and women who were either wounded in battle, or paid the ultimate sacrifice with their lives; and

WHEREAS, the people of the County of Lewis have great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this community in the Armed Forces, and who paid the high price of freedom by placing themselves in harm's way for the good of all; and

WHEREAS, the contributions and sacrifices of the men and women from the County of Lewis who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, many citizens of our community have earned the Purple Heart Medal as a result of being wounded or having lost their lives as result of combat with an enemy force, construed as a singularly meritorious act of essential service; and

WHEREAS, the Lewis County Board of Legislators seek to remember and honor these Veteran recipients of this award by proclaiming the County of Lewis as a Purple Heart Community and by officially designating August 7th as Purple Heart Day in Lewis County;

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby proclaims the County of Lewis as a Purple Heart Community, honoring the service and sacrifice of our Nation's men and women in uniform who were wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

Section 2. That the Lewis County Board of Legislators hereby designates August 7th of each year as the day in Lewis County to remember and recognize veterans who have received the Purple Heart Medal; and for the Lewis County community to take such other steps and actions to foster an environment of good will among the combat-wounded veteran members and their families, to promote patriotism, to support appropriate legislative initiatives, and most importantly, to never forget the sacrifices made.

Section 3. That the Lewis County Board of Legislators directs that a Proclamation in recognition and remembrance of the County's Purple Heart Day be prepared and read at the

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August 3, 2021 Board meeting, together with such other actions the Board may hereinafter deem appropriate.

Section 4. That this Resolution shall take effect immediately.

Section 5. That the Lewis County Clerk of the Board is hereby directed to forward certified copies of this Resolution to state and national offices of the Military Order of the Purple Heart for nationwide acceptance of the County of Lewis, State of New York as a Purple Heart Community.

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 81 - 2021
RESOLUTION AUTHORIZING ANNUAL AGREEMENTS BETWEEN THE COUNTY
OF JEFFERSON AND COUNTY OF LEWIS FOR ACTIVITIES UNDER WORKFORCE
INNOVATION AND OPPORTUNITY ACT (“WIOA”)**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, Jefferson and Lewis Counties are designated as a multi-jurisdictional workforce development area under the Workforce Innovation and Opportunity Act (WIOA), and seek to have the area be known as the “JEFFERSON - LEWIS LOCAL WORKFORCE DEVELOPMENT AREA” by designation of its respective Chief Elected Officials; and

WHEREAS, the WIOA provides for the Chief Elected Officials of each County to be designated its respective Board’s Executive authorized to enter into an agreement to organize and implement activities pursuant WIOA, and as proposed by the Governor of the State of New York for the purpose of administering WIOA in Jefferson and Lewis Counties; and

WHEREAS, the Board of Legislators wishes to authorize such designation and Chief Elected Officials Agreement pursuant to WIOA.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes, Lawrence Dolhof, Chairman of the Lewis County Board of Legislators and Lewis County Executive, to enter into an Agreement with the designated Executive of Jefferson County for purposes of administering WIOA, and entering into agreements to organize and implement workforce development in the Jefferson-Lewis areas pursuant to WIOA for the retroactive term July 1, 2020 through June 30, 2021.

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Section 2. That the Board of Legislators hereby designates Lawrence Dolhof as the Executive authorized to designate the Jefferson-Lewis County areas to be known as the “Jefferson - Lewis Local Workforce Development Area” pursuant to WIOA.

Section 3. That Lawrence Dolhof, as the Chief Executive Official of the County of Lewis is hereby authorized to make, execute, seal and deliver the annual organizational and activities agreements with Jefferson County, for each year that he serves as Chairman of the Board and Chief Executive Official of Lewis County, pending annual review and approval by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

**RESOLUTION NO. 82 - 2021
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
VICTIMS ASSISTANCE CENTER OF JEFFERSON COUNTY AND
LEWIS COUNTY OPPORTUNITIES, INC.
WITH THE LEWIS COUNTY YOUTH BUREAU**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

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 state funds to provide appropriate services under the program; and

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

WHEREAS, the County of Lewis, by and through the Lewis County Youth Bureau, desires to enter into an agreement with VAC 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

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and awareness campaigns, provide advocacy and supportive services, and conduct trainings and conferences in the Lewis County community; and

WHEREAS, the County of Lewis, by and through the Lewis County Youth Bureau, desires to enter into an agreement with LCOI to provide intensive case planning to meet the needs of sexually exploited youth related to child trafficking and exploitation in Lewis County, as outlined in the Safe Harbour: NY Project; and

WHEREAS, the Board of Legislators wishes to enter into these Agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes separate Agreements between the County of Lewis, by and through the Lewis County Youth Bureau, and 1) Victims Assistance Center of Jefferson County; and 2) Lewis County Opportunities, Inc. to provide the described identified support and outreach services by each under the Safe Harbor: NY Project program.

Section 2. That these agreements are for the period beginning January 1, 2021 and ending December 31, 2021. The funds are provided by New York State Office of Children and Family Services to Lewis County under the Safe Harbor: NY Project. The agreements shall provide for Lewis County Youth Bureau compensating Victims Assistance Center of Jefferson County the sum of \$18,500.00 and the sum of \$4,500.00 to Lewis County Opportunities, Inc. for their respective services.

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 Kulzer, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

RESOLUTION NO. 83 - 2021
RESOLUTION ADOPTING POLICY AND PROCEDURES FOR COMMUNICABLE
DISEASE DISASTER EMERGENCY DECLARED BY NEW YORK STATE

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

WHEREAS, pursuant to Local Law No. 4-2004, "A Local Law Establishing emergency and Disaster Planning Procedures for Lewis County", the Board of Legislators found it necessary and prudent to provide for the development and implementation of emergency and disaster plans and procedures in or to minimize the effect of such emergencies and/or disasters by identifying

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appropriate local measures to, *inter alia*, coordinate the use of local resources and staff for service during such emergencies; and

WHEREAS, as a public employer in the State of New York, Lewis County is required to prepare a plan for the continuation of operations when the Governor has declared a state disaster emergency involving a communicable disease; and

WHEREAS, the County Manager proposes the adoption of the attached POLICY AND PROCEDURES FOR COMMUNICABLE DISEASE DISASTER/EMERGENCY DECLARED BY NEW YORK STATE for the continuation of operations by Lewis County employees, and those who are deemed essential and non-essential during a communicable disease emergency declaration; 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 attached plan as the Lewis County Policy and Procedures for Communicable Disease Disaster/Emergency Declared by New York State.

Section 2. That the Clerk of the Board is hereby directed to retain the policy in the Board of Legislators' Office and distribute the same to all Department Heads and any others the County Manager may deem appropriate.

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

Moved by Legislator King, seconded by Legislator Virkler, and adopted on the 6th day of April, 2021.

**LEWIS COUNTY POLICY AND PROCEDURES FOR
COMMUNICABLE DISEASE DISASTER EMERGENCY RESPONSE**

I. SUBJECT:

Preparation of Public Employers for State Disaster Emergencies involving Public Health

II. ISSUED:

April 1, 2021

III. PURPOSE:

As a public employer in the State of New York, Lewis County is required to prepare a plan for the continuation of operations in the event that the governor declares a state disaster emergency involving a communicable disease.

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IV. DEFINITIONS

The following definitions are to be used for the purpose of this policy:

- a. "Personal Protective Equipment" (PPE) shall mean all equipment worn to minimize the exposure of hazards, including gloves, masks (as example N-95, cloth, disposable or other as required based on job duties and/or Public Health Department recommendations), face shields, foot and eye protection, protective hearing devices, respirators, hard hats, and disposable gowns and aprons.
- b. "Essential" shall refer to a designation made that a public employee is required to be physically present at a work site to perform his or her job. Such designation may be changed at any time in the sole discretion of the County Manager. This designation shall apply regardless of employment status (FT, PT, on-call, temporary, per-diem or etc.)
- c. "Non-Essential" shall refer to a designation made that a public employee is not required to be physically present at a work site to perform his or her job. Such designation may be changed at any time in the sole discretion of the County Manager. This designation shall apply regardless of employment status (FT, PT, on-call, temporary, per-diem or etc.)
- d. "Communicable Disease" shall mean an illness caused by an infectious agent or its toxins that occurs through the direct or indirect transmission of the infection's agent or its products from an infected individual.

V. GENERAL POLICY:

- 1. The following types of positions are considered essential, as defined in Section IV, b., in the event that the governor declares a state disaster emergency involving a communicable disease:

Department	Types of Essential Positions
Board of Legislators	Board Chair, Vice Board Chair, Board Clerk
Board of Elections	Commissioners, Deputy Commissioners
County Manager	County Manager
County Attorney	County Attorney, Assistant County Attorney, Confidential Secretaries, Paralegal
County Clerk	County Clerk, Deputy County Clerk., DMV Supervisor, DMV Examiners, Senior Keyboard Specialists
District Attorney	District Attorney/Coroner, Assistant District Attorneys, Confidential Secretary to the District Attorney, Criminal Investigator
Emergency Management	Emergency Management Director/Fire Coordinator, Emergency Management Assistant
Buildings & Grounds	Buildings & Grounds Supervisor, Maintenance Workers, Custodial Workers, Cleaners
Treasurer	Treasurer, Deputy Treasurer, Benefit Specialist, Sr. Account Clerks, Account Clerks
Highway	Highway Superintendent, Deputy Highway Superintendent,

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	Supervisors, Automotive Mechanic/Welders, Heavy Equipment Operators, Motor Equipment Operators, Fiscal Manager
Information Technology	Director of Information Technology, Computer System Assistants
Community Services	Director
Human Resources	Director of Human Resources, Personnel Assistant
Planning	Director of Planning, Community Development Specialist
Probation	Director, Sr. Probation Officer, Probation Officers
Public Health	Director, Supervising PHN, Planner, EI Coordinator, Coordinator for Children of Special Needs, Public Health Specialists, Fiscal Manager, Senior Account Clerk, Account Clerk, Administrative Assistant, Clerk, Nurses
Sheriff	Sheriff, Undersheriff, Sergeants, Criminal Investigators, Civil Officers, Deputy Sheriffs, SRO, 911 Operations Coordinator, Dispatcher/CO's, Corrections Officer Lieutenant, CO Sergeants, CO Corporals, Correction Officers, Jail Nurse, Cooks
Social Services	Commissioner, LAN Admin, Fiscal Manager, Senior Account Clerks, Audit Clerk, Staff Workforce Development Coordinator, E&T Specialists, Office Manager, Office Specialists, Economic Supports Director, Senior Social Program Examiners, Program Examiners, Fraud Investigator, Medical Clerk, Community Service Workers, Director of Services, Grade B Supervisors, Caseworkers, Homemaker
Solid Waste	Director, Working Supervisor, Heavy Equipment Operator, Motor Equipment Operator, Principal Account Clerk
Real Property	Director of Real Property, Tax Map Tech, GIS Specialist, Real Property Systems Specialist, Senior Keyboard Specialist
Veterans Service	Director of Veteran Services
Office For Aging	Director, OFA Coordinator, Meal Program Coordinator, Specialist, Principal Account Clerk, Administrative Assistant
Recreation, Forestry & Parks	Director, Crew Leader

2. Lewis County is committed to ensuring that our residents receive necessary services during a state disaster emergency involving a communicable disease. To accomplish this goal, non-essential employees, as defined in Section IV, c. of this policy, may require access to technologies, including but not limited to hardware, software, data, and telecommunications. All technology will be deployed, to the extent possible, based upon a pre-determined Department Priority List which prioritized public health and public safety first. The Priority List is created and administered by the County Manager.

Non-essential employees shall request technology pursuant to this policy by completing an IT Ticket request as found on the County's Intranet Home Page. All requests shall be approved by the Department Head and the Director of Information Technology. Once approved, the IT Department will coordinate delivery of the requested technology with the non-essential employee, to the extent possible.

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3. To the extent possible, Lewis County departments will utilize staggering work shifts in the event of a declared state disaster emergency involving a communicable disease. Plans will be developed by the department head and communicated to essential employees based upon department of health guidelines and essential job duties.
4. Lewis County Emergency Management maintains a PPE stockpile sufficient to withstand the 90-day need for county departments and first responder agencies based upon peak COVID-19 usage. This stockpile is located in a secure facility and in an environment appropriate to prevent degradation to the PPE. Department Heads, in consultation with Lewis County Department of Public Health, will determine the specific PPE needs of their essential employees. Department Heads will request the appropriate amount and type of PPE for their department's essential employees if needed. Lewis County Emergency Management will ensure PPE replenishment in order to maintain the 90-day stockpile if needed based on requests.
5. In the event that an employee is exposed to a known case of the communicable disease, exhibits symptoms of such disease, or tests positive for such disease, the following protocol shall be immediately enacted:
 - Step 1: Isolate and excuse the sick employee from the workplace. The infected or exposed employee should remain at home until released by the public health official. Public Health will issue a letter to the employee indicating that they are released from isolation (if the employee was positive), or quarantine (if the employee was not positive).
 - Step 2: Contact Public Health and provide assistance with identifying those individuals who worked in close proximity of the employee. Follow Public Health guidance regarding which employees would need to be placed in quarantine.
 - Step 3: Contact Buildings & Grounds for cleaning of work area(s). Buildings & Grounds will utilize cleaning plan per DOH and CDC guidance related to the specific communicable disease.
 - Step 4: Notify employees: Following a confirmed case, Public Health or County Human Resources will notify all employees who work in the location or area where the sick employee works. Be sure to follow all applicable laws regarding the disclosure of any confidential medical information such as the name of the employee.
6. Lewis County will utilize all means at its disposal to document the hours and work locations for essential employees, including off site visits for the purpose of disease contact tracing. Such means shall include, but are not limited to:
 - a. Time Clocks and/or Time Sheets (if applicable)
 - b. Door Access Records/Security Camera Records

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c. Daily Sign-in Logs/Reports

7. All protocols identified in this policy are subject to change pursuant to guidance provided by the Lewis County Public Health Department or by the NYS Department of Health based upon the specific communicable disease characteristics. Lewis County will adhere to all CDC, OSHA/PESH guidelines/requirements and will conduct hazard risk assessments to determine what controls including PPE needs to be in place.

8. This plan will be reviewed and updated as needed. Lewis County and CSEA will review at a Labor Management Meeting and provide proposed updates to the Board of Legislators for consideration.

VI. REPORTING POLICY VIOLATIONS

Any violations of this policy shall be reported to your immediate supervisor, Department Head or the County Manager or via procedures established by the New York State Department of Labor. Reports may be made verbally or in writing.

VII. EFFECTIVE:

This policy is effective immediately.

OTHER BUSINESS:

There was a proclamation read commemorating April 2021 as Fair Housing Month; there was a second proclamation read commemorating April 2021 as Child Abuse Prevention Month.

Legislator King made a motion at 6:25 p.m. to enter executive session for discussion on legal options and potential liability matters regarding the brick block building in Turin, and to allow the Superintendent of Highways Timothy Hunt and Village of Turin Mayor Josh Leviker to join, seconded by Legislator Osborne and carried.

Legislator Osborne made a motion to enter regular session at 6:54 p.m., seconded by Legislator Kulzer and carried.

There being no other business to come before the Board, Legislator Kulzer made a motion to adjourn the meeting at 6:55 p.m., seconded by Legislator Osborne and carried.

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**REGULAR MEETING
May 4, 2021**

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

Roll Call: 9 Legislators were present, Legislators Burns had been excused. There were 11 other persons present.

Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the April 6, 2021 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
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: May 4, 2021

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

PRIVILEGE OF THE FLOOR:

Office For the Aging Director Crystal Collette introduced Ms. Olivia Baker, who is a junior at Lowville Academy Central School and currently enrolled in a class on Government through Cornell Cooperative Extension.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

A resolution was received from Essex County opposing Legislative agenda of certain Adirondack Environmental Groups seeking to decouple Broadband and Cellular Expansion coverage in Essex County and the State.

Two resolutions were received from the Intercounty Legislative Committee of the Adirondacks, the first is urging the Governor and Federal Government to expand Broadband and Rural Cellular Coverage to all New Yorkers, the second is encouraging the formation of the North Country Broadband Alliance for the purposes of achieving access to \geq to 100 MBPS Broadband speed for one hundred percent (100%) of all households and businesses in Adirondack Counties.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

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Legislators received the April 2021 Treasurer's report; Highway & Solid Waste April Audit reports; and the following apportionment of mortgage tax report totaling \$256,507.80 for the period of October 1, 2020 through March 31, 2021:

**APPORTIONMENT OF MORTGAGE TAX
October 1, 2020 through March 31, 2021**

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		398,565,656	\$20,685.07
Village of Croghan	0.025382309	20,233,033	<u>\$ 538.71</u>
			\$21,223.78
Town of Denmark		315,910,857	\$24,316.70
Village of Castorland	0.025231844	15,942,027	\$ 673.17
Village of Copenhagen	0.063321865	40,008,129	<u>\$ 1,689.38</u>
			\$26,679.25
Town of Diana		196,851,186	\$14,482.62
Town of Greig		242,891,310	\$26,455.05
Town of Harrisburg		124,149,823	\$ 2,468.00
Town of Lewis		83,394,585	\$ 8,418.75
Town of Leyden		118,129,354	\$ 4,856.68
Village of Port Leyden	0.073172998	17,287,758	<u>\$ 383.44</u>
			\$ 5,240.12
Town of Lowville		459,420,512	\$49,982.25
Village of Lowville	0.295477949	271,497,261	<u>\$20,962.65</u>
			\$70,944.90
Town of Lyonsdale		119,767,805	\$ 6,753.72
Village of Lyons Falls	0.039199278	9,389,623	\$ 283.77
Village of Port Leyden	0.027854689	6,672,190	<u>\$ 201.64</u>
			\$ 7,239.13
Town of Martinsburg		223,370,278	\$8,414.32
Town of Montague		40,281,978	\$2,399.10
Town of New Bremen		197,338,317	\$12,479.91
Village of Croghan	0.036755363	14,506,483	<u>\$ 476.21</u>
			\$12,956.12

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Town of Pinckney		45,064,702	\$6,983.22
Town of Turin		88,648,810	\$ 4,951.75
Village of Turin	0.074076195	13,133,533	<u>\$ 396.15</u>
			\$ 5,347.90
 Town of Watson		 224,501,372	 \$23,996.77
Town of West Turin		158,263,490	\$11,249.76
Village of Conatbleville	0.047526309	15,043,359	\$ 630.14
Village of Lyons Falls	0.103996455	32,917,684	<u>\$ 1,378.87</u>
			<u>\$13,258.77</u>
		<u>GRAND TOTAL</u>	<u>\$256,507.80</u>
 To County of Lewis			 <u>\$130,131.41</u>

Thomas Osborne, Chairman
Ronald Burns
Ian Gilbert
Gregory Kulzer
Philip Hathway
Finance & Rules Committee

Dated: May 4, 2021

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 \$256,507.80 from the tax on mortgages from October 1, 2020 through March 31, 2021 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 5th day of May 2021.

Lawrence L. Dolhof, Chairman
Cassandra Moser, Clerk of the Board

Highway Superintendent Timothy Hunt submitted an official order to change several yield signs throughout the county to stop signs in order to bring the existing intersections up to

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the sight distance requirements. Brian Mooney submitted the March 2021 Sealer of Weights & 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 County Clerk Jake Moser to re-fill one (1) full-time Deputy Clerk position due to impending retirement, seconded by Legislator Chartrand and carried.

Legislator Osborne made a motion to authorize Human Resources Director Caitlyn Smith and Community Services Director Patricia Fralick to re-fill one (1) full time Administrative Assistant position effective immediately, seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize Highway Superintendent Timothy Hunt to go out to bid for a plow truck utilizing NYS Office of General Services mini-bid process, seconded by Legislator Osborne and carried.

Legislator King made a motion to authorize Planning Director Casandra Buell to put out an RFP for Lewis County Public Transportation Van Pool Services, seconded by Legislator Virkler and carried.

Legislator King made a motion to authorize Planning Director Casandra Buell to put out an RFP for Lewis County Public Transportation Operating Contract, seconded by Legislator Kulzer and carried.

Legislator Moroughan reminded everyone that May is Mental Health Month and that a proclamation would be read later in the meeting. She also wished Ms. Tina Stanford a happy retirement, stating her last day will be Friday, and thanking her for all her hard work and dedication to the community and senior citizens.

Legislator Chartrand reported that the February Employee of the month was Ellie Carpenter, Ultrasound Technologist. The Hospital Board of Managers discussed mandatory vaccination for employees based on the fact that they are at 60% vaccination for employees. It is a difficult situation when an employee who chooses not to get vaccinated could potentially spread the virus and knock out a large portion of the work force. It will continue to be discussed in the months ahead. The current vaccination rate is at 41% as of Monday, April 26th.

The Hospital finances show a gain of \$102,548 versus a budgeted gain of \$990,000, the difference is mostly due to additional expenses related to the pandemic. The 2020 Audit was successfully completed with no findings of errors or issues. There is a new Infection Preventionist position filled for inside the hospital, there is still recruitment happening for an Infection Preventionist for the Nursing Home. The Copenhagen Health Center is coming along nicely and there will be a walk through scheduled for May 5th. Ms. Julie Emery, Nurse Practitioner will be staffing that facility which is intended to open to the public in mid-May.

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Hospital CEO, Jerry Cayer, spoke briefly about the vision and mission statements for Lewis County General Hospital and how that impacts strategic planning and goal setting process. The vision is that Lewis County is the healthiest county in New York State and once that goal is achieved, to be the healthiest county in the country. An important part of achieving a vision or mission is to continually enhance the culture necessary to obtain it. When something positive happens, it is because of culture but when something negative results it is blamed on culture. Culture is very dynamic, and the key is to continue to move forward and to focus on the things that support vision, mission, and strategic plan.

Values will define our culture and if done well will strengthen the ability to take care of patients and residents. The Hospitals values are defined by a single phrase "I CARE" which stands for integrity, compassion, accountability, respect, and excellence. A team was put together to define each of these words in a way that enhances the culture necessary to reach the hospitals vision. Integrity is defined as doing the right thing even if no one is watching; Compassion is showing kindness, caring and a willingness to help others; Accountability is being accountable for actions, performance and behavior; Respect is appreciating the feelings, rights, wishes and traditions of others; Excellence is approaching every challenge with a determination to exceed expectations.

Chainman Dolhof reported that the Ad Hoc Committee for Broadband will be made up of Eric Virkler, County Treasurer; Adam Zehr, Information Technology Director for Copenhagen Central School; Dave Wolff, DANC; Michelle Capone, DANC; Casandra Buell, Planning Director; Ryan Piche, County Manager; Ian Gilbert, Legislator; Greg Kulzer, Legislator; and himself. The first meeting will be on May 17th, 19th, or 20th depending on everyone's availability.

COUNTY MANAGER REPORT:

Ryan reported that the counties positivity rate continues to be in a good spot, much lower than after the holidays. There have been 9,123 first doses given in Lewis County, with an estimated 20,000 eligible individuals (16+, not including military) and 7,928 fully vaccinated individuals which is less than 50%. The clinic this week will be Friday, May 7th at the Lowville Fire Department from 9:00 a.m. to 11:00 a.m., there have been clinics at many different locations and times throughout the county over the past few weeks in an effort to reach all residents. There will be clinics in each school in the coming month to offer the Pfizer vaccination to students who are eligible.

The Fair Board is meeting to decide if a drive thru clinic can be set up at the fairgrounds in the next two months prior to the Fair which is scheduled for July 20th. This will be an effort to offer a way for residents to get vaccinated so they can be safe at the fair. There is an initiative being discussed with the Lewis County Chamber of Commerce, which mirrors what Erie County did with a shot and a beer token or a shot and an ice-cream token. The concept is anyone who comes to get vaccinated would get a token or ticket to get a drink or ice-cream from a Chamber business. The Chamber would then collect all the invoices from the many business involved and invoice the county.

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There continues to be videos being pushed out on social media as an effort to educate residents on the safeness and effectiveness of the vaccines by local trusted doctors and a resident who had complications because of Covid-19. There will be a conference call for the faith community in the coming weeks that will allow them to ask doctors any questions or concerns they might have in hopes that they would support the effort being made to vaccinate residents.

The Solid Waste project is moving along, there has been discussion on a change order due to price increases on materials which will be brought up at committee meetings. C & S has completed their site visits with Highway and Social Services, they have begun their borings at Highway, and should have the report to Legislators before the deadline of June 24th, possibly by the June 1st Board meeting. The bid opening for the PSB Boiler project is on Thursday this week.

Community Cup was cancelled last year due to the pandemic but is back in full force this year. There are 8 teams registered already. Legislators are all invited to compete on the Courthouse team or any other team they choose as well as their families. There are several events to participate in and they will be held from June 1st through June 5th. In response to Chairman Dolhof, Ryan clarified that all vaccination clinics are now on a walk-in basis.

Legislator Chartrand asked for an update on the Solid Waste Scale House portion of the project as all bids were rejected. Ryan reported that it could be piecemealed out, with our staff working on most of it and using an unfinished modular. There needs to be further discussion with the engineers to see what other options we have. The slab and conduit could be handled in house while material prices are so high. Legislator Chartrand thought it might be wiser to just move forward with it rather than wait another 18 months for prices to drop.

COUNTY TREASURER REPORT:

Eric reported that sales tax figures are better than expected. Year-end closing process is underway, and the state annual report has been submitted.


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 \$ 1,404,397.13 and recommend that they be audited and allowed for the amounts claimed.



Thomas Osborne Chair

Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kutzer Committee



Phil Hathway Committee

Dated: May 4, 2021

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

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**RESOLUTION NO. 84 – 2021
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 \$ 1,404,397.13 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 4th day of May, 2021 by the following roll call vote:

AYES: Chartrand, Gilbert, Moroughan, Kulzer, Virkler, Osborne, Hathway, King, Dolhof

NAYS:

ABSENT: Burns

**LOCAL LAW (INTRODUCTORY NO. 1 - 2021)
COUNTY OF LEWIS**

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

**A LOCAL LAW AUTHORIZING 12 AND 13 YEAR OLD LICENSED HUNTERS TO
HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON
WITH THE SUPERVISION OF A LICENSED ADULT PURSUANT TO
ENVIRONMENTAL CONSERVATION LAW §11-0935**

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

SECTION 1. LEGISLATIVE INTENT.

The intent of this Local Law is to authorize Lewis County to permit 12 and 13 year old individuals to participate in the new and safe hunting opportunities in accordance with Environment Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget, includes a pilot program allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023, if a county authorizes such action within their municipality. Lewis County is passing this local law as hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

SECTION 2. PILOT PROGRAM AUTHORIZATION.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Pursuant to Environmental Conservation Law, ECL 11-0935, and by enactment of this Local Law, Lewis County declares its election to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2023.

SECTION 3. STATE REQUIREMENTS TO ADHERE ONCE AUTHORIZED.

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age 21 years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a crossbow during the times when other hunters may use crossbows; and
- Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and
- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year old with a firearm or crossbow.

SECTION 4. LOCAL LAW FILING REQUIREMENTS.

A copy of this local law shall be sent to the New York State Department of Conservation as well as the NYS Department of State.

SECTION 5. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

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SECTION 6. EFFECTIVE DATE.

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

**RESOLUTION NO. 85 - 2021
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 1 - 2021), COUNTY OF LEWIS**

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

WHEREAS, a proposed Local Law entitled "A LOCAL LAW AUTHORIZING 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT PURSUANT TO ENVIRONMENTAL CONSERVATION LAW §11-0935" was presented and introduced at a meeting of this Board of Legislators held on May 4, 2021;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on June 1, 2021, 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 Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 86 – 2021
RESOLUTION PURSUANT TO LOCAL LAW NO. 2-2007 FINDING AND
DETERMINING THAT AN UNSAFE STRUCTURE
SHALL BE DEMOLISHED AND REMOVED
(TOWN OF WATSON)**

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," 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 214.04-01-02.300, in the Town of Watson, owned by the estate of Bruce Normander, deceased, who determined that the structure is unsafe and issued a comprehensive report to the Board of Legislators on March 29, 2021, including a recommendation, *inter alia*, that the structure be demolished and removed; and

WHEREAS, Section 4 of the Law states that the provisions of the law apply to any building or structure located within the County where the Village or Town has relinquished to the County the responsibility of administering the uniform code(s). The County performs enforcement services of the uniform code(s) on behalf of the Town of Watson; and

WHEREAS, the Code Enforcement Officer reported that the structure is a 1982 manufactured home, which is filthy, rat infested, lacks maintenance, is unsanitary, has a deficient roof system, is beyond repair, and a danger to anyone who may attempt to enter. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, the conclusion and recommendation of the Code Enforcement Officer is for the Lewis County Board of Legislators determine and find that the building is an unsafe and dangerous structure as described in the Local law, that it cannot be safely repaired and Order: 1) that the structure requires the services of an exterminator, and others services to rid the structure of animal carcasses and feces, 2) that any and all utility services be turned off, and 3) that the structure then be demolished and the debris properly removed, together with any other service which may subsequently be deemed necessary for the health and safety of the public.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby finds and determines in accordance with the report of the Lewis County Code Enforcement Officer that:

1. The herein described building is unsafe and that such building constitutes a public nuisance and a danger to the safety, health and welfare of the community; and
2. It is the opinion of the Board of Legislators that the building must be demolished and removed from the premises.
3. Directs that a Notice as described in Section 7 of Local Law No.2-2007 and copy of this Resolution and Decision be served upon the Administrator of the Estate of Bruce Normander, as filed with the Lewis County Surrogate's Court.

Section 2. That by reason of such findings, the Board of Legislators hereby :

ORDERS that Raymond L. Moshier, Sr., Administrator of the Estate of Bruce Normander appear before this Board of Legislators on June 1, 2021 at 5:00 p.m. to Show Cause before this Board why it should not Order said Administrator to 1) immediately

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hire an exterminator take appropriate steps to rid the structure of rats and other varmints; 2) to immediately hire a company to rid the structure of carcasses and feces; 3) to close and secure the structure, if exposed; and 4) to demolish and remove the building located on the parcel identified as Tax Map No. 214.04-01-02.300, in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and further

ORDERS AND DECREES, that in the event that the Administrator fails to appear before this Board or fails to comply with any Orders of this Board, that the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it is located, and to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and further

ORDERS AND DECREES that Notice of this Finding and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the Administrator of the Estate of Bruce Normander not less than five (5) business days prior to the hearing date set forth above, in accordance with Section 8 of the Local Law, said notice to contain as follows:

1. a description of the premises;
2. a statement of the particulars in which the building or equipment is deemed unsafe or dangerous;
3. an order outlining the manner in which the building or equipment is to be made safe and secure, or demolished and removed;
4. a statement that the securing or removal of such building shall commence within thirty (30) days of the service of the notice and shall be completed within sixty (60) days thereafter, unless, for good cause shown, such time shall be extended;
5. a date, time and place for a hearing before the Board of Legislators in relation to such dangerous or unsafe building, which hearing shall be scheduled not less than five (5) business days from the date of service of the notice; and
6. a statement that in the event of neglect or refusal to comply with the order to secure or demolish and remove the building or equipment, the Board of Legislators is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

Section 3. A copy of the notice served as provided herein shall be filed in the office of the County Clerk.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 87 – 2021
RESOLUTION AUTHORIZING THE COUNTY OF LEWIS TO MAINTAIN AN
AGREEMENT WITH ALLTECH INTEGRATIONS, INC. TO MONITOR FIRE
ALARM SYSTEM IN THE LEWIS COUNTY-JEFFERSON
COMMUNITY COLLEGE EDUCATION CENTER**

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

WHEREAS, Alltech Integrations, Inc., with offices located at 25925 NYS Route 137, Watertown, New York 13601, offers a broad range of security related services such as *burglar and fire alarm systems, CCTV surveillance systems, card access systems; and*

WHEREAS, the County of Lewis desires to continue the Agreement with Alltech Integrations, Inc. that commenced on February 1, 2019, to monitor the fire alarm system in the Lewis County-Jefferson Community College Education Center on an annual basis, provided that the annual cost of same remains at \$479.40; and

WHEREAS, the Board of Legislators wishes to authorize continuation of the agreement and services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes continuation of the automatic annual agreement between the County of Lewis and Alltech Integrations, Inc. to monitor the fire alarm system in the Lewis County-Jefferson Community College Education Center, as long as the annual cost does not exceed \$479.40 and/or until either party desires to terminate.

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 terms and conditions approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 88 - 2021
RESOLUTION AUTHORIZING AN AGREEMENT WITH
ICU SECURITY & PRIVATE INVESTIGATIONS FOR
UNARMED SECURITY GUARD SERVICES AT THE
DEPARTMENT OF MOTOR VEHICLES BUILDING**

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

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WHEREAS, the County of Lewis (“County”) on behalf of the Lewis County Department of Motor Vehicles (“DMV”) desires to enter into an agreement with ICU Security & Private Investigations, of Watertown, NY, for unarmed security guard services at the LC DMV building located on East State Street, Lowville, NY for up to a period of six (6) months while Covid-19 restrictions remain in place; and

WHEREAS, the County Clerk anticipates the use of these security services between the hours of 8:30 am and 4:00 pm, Monday through Friday, on the days the DMV is open to the public with limitations on capacity during the pandemic restrictions; and

WHEREAS, the Board of Legislators wishes to authorize a contract for said services and the transfer of \$31,687.50 from Contingency into Account A0141000-490100;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an agreement with ICU Security & Private Investigations to provide unarmed security guard services at the DMV building located on East State Street, Lowville, NY, for up to six (6) months, with the ability to terminate sooner or to extend the agreement, dependent upon Covid-19 restrictions on capacity and distance.

Section 2. That this agreement is for the term commencing May 10, 2021 through November 5, 2021, unless sooner terminated by the County upon 30 days written notice, or unless extended by written mutual agreement, at a cost not to exceed \$32.50 per hour for a guard, the prevailing wage rate for security guards in the North Country area, all inclusive of taxes, insurance, disability, and any other costs and expenses associated with providing said service. The security guard is to provide said services between the hours of 8:30 am to 4:00 pm, Monday through Friday on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 hours per day or 37.5 hours per week.

Section 3. That the following budget transfer from Contingency is hereby approved in the County Clerk accounts for unarmed security guard services at the Department of Motor Vehicles:

From:
A0199000 499900 Contingency \$31,687.50

To:
A0141000 490100 County Clerk Prof Serv \$31,687.50

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 89 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE DISTRICT ATTORNEY**

Introduced by Legislator Jerry King, Chair 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 District Attorney:

<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Senior Assistant District Attorney	Full-Time	Grade 2 (\$74,285 - \$94,978)

Section 2. That the District Attorney is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 4th day of May, 2021. Legislator Gilbert abstained.

**RESOLUTION NO. 90 - 2021
RESOLUTION TO APPROPRIATE 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 appropriation be approved in the County Road accounts for increase in funding expected from NYS for the annual CHIPS program:

Increase Revenue:

D0501000 335011 CHIPSRev	\$1,169,480.00
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Increase Expense:

D0515000 495150 Paving Materials	\$1,044,480.00
D0540000 495400 Constr Materials	\$ 125,000.00

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 91 - 2021
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 re-appoints Randall Schell, of 4594 Arthur Road, Lowville, New York 13367 to the North Country HOME Consortium Board.

Section 2. That the term of said appointment shall be for the period May 5, 2021 through May 5, 2024.

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 92 - 2021
RESOLUTION ADOPTING SMOKE/TOBACCO/MARIJUANA-FREE POLICY FOR
LEWIS COUNTY BUILDINGS AND GROUNDS**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the use of tobacco and marijuana products is a health and safety hazard to the residents, visitors, and employees who appear at the County's public buildings and grounds. The County is committed to providing a smoke free, tobacco free and marijuana free environment in its buildings and on the grounds around its buildings for that visitors and employees can perform their activities in a safe atmosphere; and

WHEREAS, the Lewis County Health System has enacted a smoke- free policy for all who visit and/or work at the hospital campus and outlying clinics; and

WHEREAS, the Health and Human Services Committee proposes the adoption of the attached Policy for a smoke/tobacco/marijuana free in all County buildings and building grounds, whether owned or leased; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 attached plan as the SMOKE/TOBACCO/MARIJUANA-FREE POLICY FOR LEWIS COUNTY BUILDINGS AND GROUNDS.

Section 2. That the Clerk of the Board is hereby directed to retain the policy in the Board of Legislators' Office and distribute the same to all Department Heads and any others the County Manager may deem appropriate.

Section 3. That the Buildings and Grounds Department Head is directed to have appropriate signs made and posted and secured in prominent places on all County buildings and building grounds as set forth in the Policy.

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**LEWIS COUNTY SMOKE/TOBACCO/MARIJUANA FREE
COUNTY BUILDINGS AND GROUNDS POLICY**

POLICY:

The Lewis County Board of Legislators believe that the use of tobacco and marijuana products is a hazard to the health and safety of the residents, business persons, registrants, students, employees and visitors to its public buildings. The County is committed to providing a smoke free, tobacco free and marijuana free environment in its buildings and on its grounds around said buildings.

DEFINITIONS:

Tobacco - shall include all tobacco chews, cigarettes, cigars, pipes, other similar instruments or substances and includes e-cigarettes.

Marijuana - shall include all marijuana products, oils, cigarettes, and the use of pipes and other similar instruments or substances, including e-cigarettes with marijuana.

PROCEDURE:

General Provisions:

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Effective May 4, 2021, any smoking of and/or use of tobacco or marijuana will be prohibited within the County buildings or on the grounds of said buildings, whether owned or leased by the County.

All County Officials and Employees share in the responsibility for adhering to this policy.

Compliance:

Ensuring compliance with this policy for employees and visitors will be the collective responsibility of management.

Employee work breaks shall not be altered in any manner to allow employees to leave their work areas to use tobacco or marijuana off campus.

Violations:

Employees: Employees violating this policy shall be subject to counseling from their supervisor. If counseling is unsuccessful, disciplinary action may be given to any employee failing to comply with this policy.

County Officials: County officials are those who are elected and/or appointed to provide services to and on behalf of the County and its agencies, whether or not compensated. All county officials shall abide by this policy. Failure to comply may result in the violator being requested to leave the property.

Visitors: Visitors failing to comply with this policy within a building will be reported to the Lewis County Public Health Department in accordance with the New York State Department of Health Clean Indoor Air Act (effective July 24, 2003) and the County Manager and/or his designee.

Visitors failing to comply with this policy outside a building and on building grounds should be reported to a Department Head in the building as well as the County Manager and building security. The violator will be requested to leave the property.

Additional Information:

Signs will be posted at each building's entrances and displayed in prominent, visible areas, to inform all individuals entering or occupying the County building and/or its grounds that smoking and/or use of tobacco or marijuana is not permitted in accordance with this Smoke-Free/Tobacco-Free/Marijuana-Free County Policy.

The HR department will inform employment candidates of the County's policy during the application process and will inform new hires of this policy during orientation.

A copy of this policy is to be provided to all County employees and officials. A copy of the policy is to be maintained in the Clerk of the Board of Legislator's Office.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Adopted: LC BOL - May 4, 2021

Reviewed and Revised:

**RESOLUTION NO. 93 - 2021
RESOLUTION ADOPTING LEWIS COUNTY TITLE VI PROGRAM PLAN**

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

WHEREAS, in accordance with the Title VI of the Civil Rights Act of 1964, the Lewis County Title VI Program Plan was drafted to reaffirm the County's policy to allow all individuals the opportunity to participate in federal financially assisted services, and

WHEREAS, as a recipient of federal and state funds, Lewis County is subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964, as amended, and

WHEREAS, the provision include, but are not limited to, prohibiting discrimination on the grounds of race, color, or national origin, being denied the benefits of, or other subjected to discrimination under any program or activity administered by federal or state assisted programs and services, or activities, and

WHEREAS, non-compliance with this mandate can affect federal financial assistance, and

WHEREAS, Lewis County assures every effort will be made to guarantee non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not, and every effort will be made to ensure that no person is excluded from participation in or denied benefits of its services based on race, color, or national origin.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby adopts the Lewis County Title VI Program Plan and hereby designates Human Resources Director/Personnel Officer Caitlyn Smith as Title VI Coordinator for Lewis County.

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert and adopted on the 4th day of May, 2021.

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**RESOLUTION NO. 94 - 2021
RESOLUTION AUTHORIZING AGREEMENTS WITH
TWO SEPARATE CYBER SOFTWARE PROVIDERS AND
THE COUNTY OF LEWIS INFORMATION TECHNOLOGY DEPARTMENT
FOR CYBER SECURITY HARDWARE, SOFTWARE,
LICENSES AND SERVICES**

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

WHEREAS, in 2018, the Lewis County Information Technology Director applied for federal funding under the FY2018 Cyber Security Grant Program administered by the NYS Division of Homeland Security and Emergency Services (NYSHSES) for equipment, software, & training products and services to secure and protect the County's electronic communications systems; and

WHEREAS, in 2019 the County was awarded \$49,824.00 under this grant, and pursuant to Resolution 373-2019, the Lewis County Board of Legislators authorized execution of the Grant agreement ; and

WHEREAS, the Director of IT sent out requests for quotes for 1) a vendor to provide three years of licensing for cyber security and phishing awareness training, and 2) a vendor to provide three years of firewall and endpoint protection hardware, licenses and services; and

WHEREAS, the Director received a number of quotes under each request and recommends that the Board authorize a contract with Dyntek Services, Inc. (Dyntek) to provide three year cyber phishing training for 225 users at a cost of \$9,496.94; and a contract with Carousel Industries (Carousel) for three years of Fortinet firewall and endpoint hardware, licenses and service protection at a cost of \$37,188.43; and

WHEREAS, the Lewis County Board of Legislators wishes to authorize such agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes an agreement with DynTek Services, Inc., 255 Washington Ave. Ext, Albany, NY 12205 to provide a three-year licensing subscription for cyber phishing awareness training with "KnowBe4" software, at a cost of \$9,496.94; and an agreement with Carousel Industries, Inc., Exeter, Rhode Island, to provide three-year firewall and endpoint protection hardware, licenses and services containing Fortinet hardware and software, at a cost of \$37,188.43, as outlined in each company's quote proposal.

Section 2. That the aforesaid costs of these cyber security software programs and services shall be paid from the FY2018 Cyber Security Grant Program award to IT, administered through the NYSHSES.

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 Agreements, pending review and approval by the County Attorney.

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

Moved by Legislator Chartrand , seconded by Legislator Gilbert , and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 95 - 2021
RESOLUTION AUTHORIZING LICENSE AGREEMENT
BETWEEN DYNTEK SERVICES, INC. AND
THE COUNTY OF LEWIS FOR THE COUNTY'S
OFFICE 365 ACCOUNT AND EMAIL SYSTEM**

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

WHEREAS, the County of Lewis entered into a licensing procurement agreement with Dell, as an authorized representative and seller of Microsoft's Office 365 Program and Account in the government sector; and, with secure cloud hosting at a monthly cost of \$17.20, \$6.88, and \$3.44, respectively, per user for the GCC E3, GCC E1, and Exchange Online Plan 1 for GCC licenses; and

WHEREAS, the Information Technology Director has identified additional needs and users for the software licensing, and secured other quotes by entities who can provide the necessary licenses to the Office 365 program, accounts and email service on the government sector who offer monthly flexibility in the number of licenses and users; and

WHEREAS, after consideration of the County's licensing needs and the quotes submitted to the Director, he recommends and requests that the Board of Legislators authorize an agreement with DynTek Services, Inc. ("DynTek) to provide the licenses and accounts required by the County for the Office 365 Program and Account, inclusive of the email program; and

WHEREAS, the Board of Legislators wishes to authorize such agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators agrees to enter into an agreement with DynTek Services, Inc., 255 Washington Ave. Ext, Albany, NY 12205 as an authorized reseller of Microsoft products, to provide specific licenses identified by the IT Director for the County's Microsoft Office 365 Account in the government sector with secure cloud hosting, commencing June 1, 2021, with monthly flexibility in removing or adding additional users and licenses and the right to terminate the agreement at any time.

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Section 2. That the aforesaid costs of licenses and accounts under the office 365 account shall be pro-rated among the Departments in accordance with their number of licenses and users.

Section 3. That the monthly cost is \$17.20, \$6.88, and \$3.44, per user for the three (3) different types of licenses and number of users each Department may require, estimated to cost between \$25,000 - \$40,000 on an annual basis.

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 Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 96 - 2021
RESOLUTION ADOPTING POLICY AND PROCEDURE FOR AUTHORIZATION,
EXECUTION AND NOTICE OF AGREEMENTS COSTING \$5,000 OR LESS**

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

WHEREAS, the process involved for Board adoption and authorization for the execution of contract agreements by the Chairman and alternates oftentimes causes considerable delay securing necessary signatures and commencement of the services under some agreements; and

WHEREAS, the County Manager proposed the adoption of a policy by the Board of Legislators to allow the Chairman or Vice-Chairman to execute agreements with compensation/fee amounts costing \$5,000 or less, without the necessity of a Resolution for same, upon the following procedures and conditions:

1. The Department Head is to follow the same procedure in bringing forth the proposed contract at the monthly pre-agenda meeting to the County Manager, Clerk of the Board, and County Attorney.
2. The contract will be reviewed by the County Attorney and forwarded to the Clerk of the Board for signature by the Chairman of the Board.
3. The Clerk of the Board shall identify all such contracts that have been submitted for execution by the Chairman, and provide a list of all such contracts and the amounts of each to the full Board of Legislators and County Manager on a monthly basis.

WHEREAS, the Board of Legislators wishes to accept and adopt this policy;

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators hereby approves and adopts the following as the Lewis County contract execution policy and procedure, pertaining to contractual agreements with compensation obligations of \$5,000 or less:

1. Contractual agreements with compensation obligations of \$5,000 or less will not require a separate Resolution by the Board of Legislators, but shall hereby be deemed to have a blanket authorization and approval by the Board for the Chairman or Vice-Chairman to execute such identified agreements, provided that the following additional procedures are followed

2. The Department Head seeking authorization for an agreement that is \$5,000 or less shall bring forth the proposed contract the usual fashion at the monthly pre-agenda meeting for the County Manager, Clerk of the Board, and County Attorney.

3. The County Attorney will review the terms of the agreement and forward to the Clerk of the Board for signature by the Chairman.

4. On a monthly basis, the Clerk of the Board shall identify all such contracts that have been submitted for consideration under this compensation threshold for execution by the Chairman, and provide a list of all such contracts with the amounts for each to the full Board of Legislators and County Manager.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Board or the Vice-Chairman, to execute any contracts with compensation of \$5,000 or less without the need of a separate Resolution.

Section 3. That the Clerk of the Board is directed to deem this Resolution as the policy for contract agreements of \$5,000 or less, and to retain of copy of same in the Board of Legislators' Office and distribute the same to all Department Heads and any others the County Manager may deem appropriate.

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 97 - 2021
RESOLUTION IN OPPOSITION TO THE "CLIMATE AND COMMUNITY
INVESTMENT ACT" SET FORTH AS NYS SENATE BILL NUMBER S-4264**

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

WHEREAS, NYS Senate members seek to amend the environmental conservation law, labor law, public authorities law and the tax law in relation to enacting Bill No. S-4264 known as the Climate and Community Investment Act; and

WHEREAS, the Bill sponsors seek the passage of this Act in order to address the adverse effects of climate change, including the effect of same on the economic well-being of New Yorkers; and

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WHEREAS, this legislation, with its imposition of climate pollution fees, will effectively cause an increase in the cost of gas by as much as fifty-five cents per gallon, and will increase home heating costs by more than twenty-five percent; amounts which residents of the North Country cannot afford to pay. Residents in Lewis County will be forced to suffer the financial and health effects and hardships of not being able to properly heat their homes in the long and cold fall, winter and spring months in the North Country. In addition, the Lewis County residents are dependent upon vehicles to go to work, drive children to school and run businesses over many miles in our rural community. Every increase at the gas pump is an added financial burden to the average upstate New Yorker; and

WHEREAS, we continue to deal with the devastating social and economic impacts of the pandemic, with local economies continuing to struggle to have small businesses return to productivity and viability. This Bill will simply add to the financial burdens of our North Country residents and businesses; and

WHEREAS, the State must re-think the effects of this proposed law upon the every-day citizens of New York who already struggle with the costs of gas and home heating fuels while the financial damage to the economy continues under the ongoing pandemic. In Lewis County, requests for HEAP benefits has increased substantially. Our residents cannot afford any additional taxes or fees which will result in higher home heating bills and gas bills for travel to work; and

WHEREAS, according to the Tax Foundation, New Yorkers currently have the 7th highest gas tax in the country. This legislation will significantly increase New York's tax per gallon to more than a 127% increase, and place New York at number One in the country in payment of gas tax - 57% higher than any other state. This status is not laudable, and will only serve to drive more business and families out of New York State; and

WHEREAS, the Lewis County Board of Legislators applauds the NYS Senate Republican Conference members in voicing their clear opposition to the proposed Bill;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Lewis County Board of Legislators hereby voices its opposition to NYS Senate Bill Number S-4264, the "Climate and Community Investment Act", and applauds Senator Griffo's clear opposition to the Bill as being ill-conceived and financially punitive to the residents and businesses in Lewis County and other North Country communities.

Section 2. That the Lewis County Board of Legislators calls upon the NYS Senate and Assembly to re-think the devastating effects and impacts this proposed Act will have upon upstate New Yorkers who already pay high rates for home heating fuels and at the gas pump in order to travel to work in the vast upstate environment, especially while still suffering the financial losses associated with the on-going pandemic.

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Section 3. That the Clerk of the Board is directed to forward certified copies of this resolution to the Majority and Minority leaders in the NYS Senate and Assembly, to NYS Senator Joseph Griffo, to NYS Assemblyman Ken Blankenbush, to Governor Andrew Cuomo, and all others deemed appropriate by the Board of Legislators.

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 98 - 2021
RESOLUTION APPOINTING MEMBERS TO
OFFICE FOR THE 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 appoints the following individuals to the Lewis County Office For the Aging Advisory Council:

District No. 6 – Kathleen Sitko of 6783 Pine Grove Road, Glenfield, NY 13343
District No. 10 – Geraldine Watkins of 3394 Elm Street, Port Leyden, NY 13433

Section 2. The term of said appointments shall commence May 5, 2021 and expire on December 31, 2023.

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 99 - 2021
RESOLUTION TO APPROPRIATE FUNDS
Office For the Aging Department**

Introduced by Legislator Andrea Moroughan, Chair of the Health & 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 recognize funds awarded from NYS Consolidated Appropriations Act (HDC5) related to the Covid 19 pandemic.

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Increase Revenue:

A0677200 340006 OFA Federal Sources \$20,346.00

Increase Expense:

A0677200 490905 Misc Covid 19 \$20,346.00

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 100 - 2021
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 following budget appropriation be approved in the Planning Department to utilize funds from the NYMS Technical Assistance grant that has previously been authorized by Resolution No. 357-2020.

Increase Revenue:

A0802000 339017 NYMS Technical Assistance Grant \$21,053.00

Increase Expense:

A0802000 495013 NYMS Technical Assistance Exp \$21,053.00

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 101 - 2021
RESOLUTION TO APPROPRIATE FUNDS
Bus Operations**

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Bus Operations accounts to appropriate federal 5311 Capital grant funds that have been previously approved by

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Resolution No. 160-2019.

Increase Revenue:

A0563000 345942	Federal Transit Grant	\$116,908.00
A0563000 335942	State Transit Grant	\$ 14,616.00

Increase Expense:

A0563000 223300	Vehicle Expense	\$131,524.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand , seconded by Legislator Gilbert , and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 102 - 2021
AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY AND
NEW YORK POWER AUTHORITY FOR CLEAN ENERGY ADVISORY SERVICES**

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

WHEREAS, the County of Lewis, by and through the Lewis County Planning and Community Development Department, desires to enter into an agreement with New York Power Authority (“NYPA”) to provide services for scoping, design, and implementation of clean energy projects through a phased approach. This project’s purpose is to utilize land surrounding the Lewis County Solid Waste Facility for a County Community Solar Project; and

WHEREAS, Public Authorities Law §1005(17) permits NYPA, to finance, design, develop, construct, implement, provide and administer energy-related projects, programs and services for any public entity and certain other specified entities; and

WHEREAS, the Trustees have authorized the establishment of NYPA’s Energy Services Program (“ESP”) to include, among other things, energy efficiency projects and services, clean energy technology projects and services and high-performance and sustainable building projects and services (including technologies that reduce air and other pollution and which conserve materials and resources such as water); and

WHEREAS, as part of its ESP offerings, NYPA has established a program under which it provides consulting services to assist prospective customers in its efforts (i) to reduce energy consumption and associated operations and maintenance costs; (ii) to realize environmental benefits, including but not limited to the reduction of air pollution; (iii) to conserve natural resources; and/or (iv) facilitate the use of clean energy sources at Customer’s facilities (“Advisory Services Program”); and

WHEREAS, Public Authorities Law §1005(17) permits a public entity to enter into an energy services contract with NYPA for such energy-related projects, programs and services as

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authorized by Public Authorities Law, including services provided under the Advisory Services Program, with no fee cost to the County, but with a fee to be paid by the Developer; and

WHEREAS, the Board of Legislators wishes to authorize said agreement and to engage NYPA to provide such services under its Advisory Services Program;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of Lewis County authorizes an agreement between the County of Lewis, by and through the Lewis County Planning and Community Development Department, with New York Power Authority (“NYPA”) to provide services for scoping, design, and implementation of clean energy projects for the purpose of a project to utilize land surrounding the Lewis County Solid Waste Facility for a County Community Solar Project;

Section 2. That this is for a term commencing on the date of execution and terminates upon the completion of the services or three (3) years after the agreement becomes effective at no cost to the County, but with a fee payable by the Developer.

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 Gilbert, and adopted on the 4th day of May, 2021.

RESOLUTION NO. 103 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY AND
MRB GROUP FOR DEVELOPMENT OF GLENFIELD ELEMENTARY
REUSE PLAN AND MARKET ANALYSIS

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

WHEREAS, the County of Lewis, acting by and through the Lewis County Department of Planning and Community Development, applied for and was awarded \$20,000 in New York Main Street Technical Assistance funding to develop a Reuse Plan and Market Analysis on the Glenfield Elementary School; and

WHEREAS, the Lewis County Department of Planning and Community Development requested quotes to retain professional consulting services to assist in the development of a Reuse Plan and Market Analysis for the shuttered building; and

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WHEREAS, after receiving and reviewing two (2) quotes, the Lewis County Department of Planning and Community Development recommends entering into an agreement with MRB Group to complete the Reuse Plan and Market Analysis; and

WHEREAS, MRB Group will identify the relevant market geographies for information gathering, analyze socioeconomic data to identify trends that could impact reuse, conduct a real estate market analysis, conduct stakeholder engagement meetings, site visits and interviews, and complete a thorough reuse plan. All deliverables will be provided in digital format and will meet the requirements of the funding source;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an agreement between MRB Group and the County of Lewis, acting by and through the Lewis County Department of Planning and Community Development, for professional services to assist in the development of a Reuse Plan and Market Analysis on the Glenfield Elementary School building at a cost not to exceed \$19,910.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such Agreement, and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 104 - 2021
AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY AND
NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND
ENVIRONMENTAL FACILITIES CORPORATION TO PROVIDE FUNDS FOR
SEPTIC SYSTEMS AND CESSPOOL REPLACEMENTS
WITHIN 250 FEET OF LISTED WATERBODIES**

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

WHEREAS, the Clean Water Infrastructure Act of 2017 established the State Septic System Replacement Fund Program (a grant program to counties), to allow for reimbursement counties to reimburse property owners for a portion of costs of replacing cesspools and septic systems that impair or threaten listed waterbodies which are in close proximity to priority waterbodies; and

WHEREAS, the County has been notified by the State that in order to become a participating county in the program, the county must execute a State Septic System Replacement Program Participation Agreement with EFC. Under the terms of the agreement, the County may seek disbursement from EFC to reimburse qualifying property owners up to

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50% of the eligible costs of eligible septic system projects, up to a maximum of \$10,000 per project. The agreement includes the priority waterbodies in Lewis County for which these funds can be used and requires the County to create a process to notify eligible property owners of the potential funding and process requests for same; and

WHEREAS, the County Manager and Director of Planning request the County's participation in this funding program, with the Director of Planning listed as the program point person for DEC and EFC; and

WHEREAS, the Lewis County Board of Legislators wishes to authorize said agreement and participate in this funding reimbursement program;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes an agreement between the County of Lewis, by and through the Lewis County Planning and Community Development Department, with the NYS Department of Environmental Conservation and Environmental Facilities Corporation to participate in the Round 2 Grant of the State Septic System Replacement Fund Program as outlined in the State's notification letter to the County Manager dated April 13, 2021;

Section 2. That the Lewis County Board of Legislators designates the Director of Planning as the contact point person for DEC and EFC under this program, with the County Manager designated as the alternate.

Section 3. That the County Manager is hereby authorized to make, execute, seal and deliver said Agreement, pending review and approval by the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

RESOLUTION NO. 105 - 2021
RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION FOR
2021 NORTHERN BORDER REGIONAL COMMISSION ECONOMIC &
INFRASTRUCTURE DEVELOPMENT INVESTMENT PROGRAM FUNDING

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

WHEREAS, the Northern Border Regional Commission (NBRC), established by Congress in 2008, is a partnership between the federal government and the State of Maine, New Hampshire, New York, and Vermont. The mission of the NBRC is to fund economic development and infrastructure projects throughout these designated counties; and

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WHEREAS, the NBRC partnership provides investments for job-creating projects that help reduce poverty, unemployment, and outmigration. The NBRC partnership is aided by recognized Local Development Districts (LDD) that assist with technical assistance, provide information on complimentary funding opportunities for projects, and ensure consistency with administration of projects that are funded; and

WHEREAS, Lewis County is eligible for up to \$1,000,000 in NBRC's 2021 State Economic & Infrastructure Development Investment Program funding contingent on a local 20% match; and

WHEREAS, Lewis County has recently completed a BAAT and Broadband Infrastructure Survey, and will work with the Development Authority of the North Country, a recognized LDD, to develop broadband project plans eligible for funding; and

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the filing of an application to Northern Border Regional Commission for telecommunication infrastructure funding in an amount not to exceed \$1,000,000 and commits to the required 20% local match payment.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such applications, documents or writing, and any amendments thereto, as may be necessary to carry out the terms of this Resolution.

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 106 -2021
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO THE PLANNING DEPARTMENT**

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

WHEREAS, the Lewis County Planning Department is tasked with providing a comprehensive plan to improve the overall mobility for the general public through coordinated transportation efforts; and

WHEREAS, the Lewis County Public Transportation Program relies upon local, state, and federal grant funding and management; and

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WHEREAS, the Lewis County Planning Department has received funding from the CARES Act that will cover a position dedicated to the mobility and transportation efforts in the County through December 31, 2022;

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 Planning Department to create the following grant funded position, effective May 4, 2021:

<u>TITLE</u>	<u>STATUS</u>	<u>GRADE/SALARY</u>
Community Development Program Specialist	Full-Time	Grade 30 (\$24.87 - \$26.87)

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 107 - 2021
RESOLUTION TO SET PUBLIC HEARING FOR PUBLIC INPUT
WITH REFERENCE TO CARES ACT FUNDING FOR
BROADBAND INFRASTRUCTURE UNDER A
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

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

WHEREAS, the County of Lewis is eligible to apply for 2020 New York State Community Development Block Grant Program (NYS CDBG) for CARES ACT funding administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR); and

WHEREAS, the Board of Legislators wishes to obtain the views of citizens on community development, including broadband infrastructure needs of residents, and possible other activities, prior to the preparation of a CDBG application;

WHEREAS, citizen participation requirements of the programs mandate the County to conduct public hearing prior to submission of an application for the purpose of obtaining citizens' views with the ability to respond to proposals and questions; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Board of Legislators of Lewis County authorizes a public hearing to be held and set for June 1, 2021 at 5:00 p.m. at the Lewis County Courthouse, Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to solicit the views of County of Lewis citizens regarding CARES ACT funding for broadband infrastructure needs under a NYS CDBG-CV application for 2020 funds, in an amount not to exceed \$1,000,000.00.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least seven (7) days prior to the hearing date.

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

Moved by Legislator Chartrand , seconded by Legislator Gilbert , and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 108 – 2021
RESOLUTION SETTING SECOND PUBLIC HEARING FOR LEWIS COUNTY
HOMEOWNERSHIP PROGRAM, NYS CDBG PROJECT # 636HO318-19**

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

WHEREAS, All recipients of NYS Community Development Block Grant (CDBG) funds must meet the citizen participation requirements at 24 CFR 570.486 and New York State's Citizen Participation Plan, as amended, which require recipients to follow a citizen participation plan providing for one public hearing 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 2nd day of April, 2019 regarding community development housing needs and other possible development activities in preparation of a CDBG Application (Project # 636HO318-19); and

WHEREAS, the County received an award of \$489,510 and the Board of Legislators of Lewis County seeks to hold a second public hearing to provide residents with the opportunity to offer any comments on the accomplishments of the current Lewis County Homeownership Program;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of Lewis County authorize a public hearing to be held and set for June 1, 2021 at 5:00 p.m. at the Lewis County Courthouse, Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to provide residents of Lewis County with the opportunity to offer any comments on the accomplishments of the current CDBG Lewis County Homeownership Program under Project # 636HO318-19.

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

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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 Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 109 - 2021
RESOLUTION TO SET SECOND PUBLIC HEARING FOR LEWIS COUNTY
HOUSING REHABILITATION PROGRAM, NYS CDBG PROJECT # 636HR333-18**

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

WHEREAS, All recipients of NYS Community Development Block Grant (CDBG) funds must meet the citizen participation requirements at 24 CFR 570.486 and New York State's Citizen Participation Plan, as amended, which require recipients to follow a citizen participation plan providing for one public hearing prior to the submission of an application for funding, and one public hearing, if awarded, to be held during the administration of the grant to solicit comments on the effectiveness of the program's administration; and

WHEREAS, the Board of Legislators duly held a public hearing on the 3rd day of July, 2018 regarding community development housing needs and other possible development activities in preparation of a CDBG Application (Project # 636HR333-18); and

WHEREAS, the County received an award of \$718,200 and the Board of Legislators of Lewis County seeks to hold a second public hearing to provide residents with the opportunity to offer any comments on the accomplishments of the current Lewis County Housing Rehabilitation Program;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of Lewis County authorize a public hearing to be held and set for June 1, 2021 at 5:00 p.m. at the Lewis County Courthouse, Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to provide residents of Lewis County with the opportunity to offer any comments on the accomplishments of the current CDBG Project # 636HR333-18, Lewis County Housing Rehabilitation Program.

Section 2. That the Chairman or the Vice-Chairman of the Board of Legislators, be and the same is hereby is authorized to make, execute, seal and deliver any documents or writings 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.

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Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 110 - 2021
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 THREE FUNDING**

Introduced by Legislator Jerry King, Chair 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 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 received an amendment to the five year contract for the approved budget and work plan for Year Two, in the amount of \$288,046.32 to implement the plans, covering the period of April 1, 2019 to March 31, 2020; and

WHEREAS, the County has received an amendment to the five year contract which reflects the approved budget and work plan for Year three, providing funding of \$432,069.49 to implement the plans, covering the period of April 1, 2020 to March 31, 2021; and

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WHEREAS, the Board of Legislators seeks to accept this budget and work plan for Year Three 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 for year three funds in the amount of \$432,069.49 under 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 three funds are for the term commencing and retroactive to April 1, 2020 and ending March 31, 2021 as set forth in the third 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 Chartrand , seconded by Legislator Gilbert , and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 111 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH**

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 amends the Compensation Plan of the County of Lewis with reference to Public Health Department:

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
Registered Professional Nurse (RPN)	Permanent Full-Time	Grade 33 (\$27.27 - \$31.84)
<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Registered Professional Nurse (RPN)	Per diem	Grade 33 (\$27.27 - \$31.84)

Section 2. That the Public Health Director is hereby authorized to fill said position effective immediately.

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Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 112 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY AND
OLMSTEAD CONSULTING FOR ENGINEERING DESIGN AND SITE PLAN
SERVICES FOR BATHHOUSE AND WATER SYSTEM AT SINGING WATERS PARK**

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

WHEREAS, the Lewis County Recreation, Forestry and Parks Director recently requested quotes from professional engineers to provide design and site plan engineering services for the bathhouse, water system design and site plan for location of campsites and picnic areas at the Singing Waters Park; and

WHEREAS, the Director requested quotes from engineers and received two (2) response(s). She seeks to have the Board of Legislators authorize an agreement with Olmstead Consulting to provide said professional services in accordance with the written proposal and quote received;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with Olmstead Consulting for professional engineering and design services for the bathhouse and water system improvements at the Singing Waters Park, in the amount of \$4,900.00 with anticipated additional services to comply with the New York State Department of Health requirements for \$4,250.00, for a total cost not to exceed \$9,150.00. Additional work requested outside the scope of services will be completed at a cost of \$100/hour.

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

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 113 - 2021
RESOLUTION IN SUPPORT OF RELEASE OF ALL
911 SURCHARGE FUNDS FROM NEW YORK STATE**

MAY 4, 2021

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

WHEREAS, the County of Lewis operates and maintains 911 and public safety communication functions. The funding mechanism by the State includes a Public Safety Surcharge, which is designated to provide municipalities with revenues to cover all costs associated with providing 911 services and operation of the Public Safety Answering Points (PSAPs) and Interoperable Communications projects throughout the state. The state's funding mechanism is out of date and does not correspond to technology changes. The grant funding received from the state is always delayed, with the process overly burdensome; and

WHEREAS, the cumbersome process, diversion of funding and delay in funding to the counties directly impacts the County's ability to provide critical and life-saving communications services to 911 centers, to emergency management centers and agencies, to emergency medical services, hospitals, public health agencies and other first responders in our communities; and

WHEREAS, New York State's plan for funding 911 should be straightforward. The legislative intent of the Public Safety Surcharge was to provide revenues to cover all costs associated with providing 911 services and operating PSAPs. Under the NYS Tax Law, \$.50 of this \$1.20 goes to the State's General Fund and is not dedicated to public safety. The remaining \$.70 goes to a variety of public safety programs, including state agencies, to supplant General Fund appropriations. Counties and the State should work together to ensure that the process by which counties access funds for public safety communications projects is fair, efficient, and serves to achieve county-wide operability, and statewide interoperability.

WHEREAS, the Lewis County Board of Legislators seeks to have the State of New York to release ALL funds for Public Safety Answering Point Operations and Statewide Interoperable Communications Grants to local governments, as authorized through the SFY 19, and 20 budgets and ensure that future authorizations are released in full in the budget year they are appropriated so that the County may maintain its critical 911 system and ensure that upgrades are made to keep the system at optimal operating levels for the safety of its residents. In addition, we request that the state facilitates a fair funding process and provide counties with the needed funding for PSAPs and Interoperable Communications; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby calls upon the State of New York to release ALL Public Safety Surcharge funds for Public Safety Answering Point Operations and Statewide Interoperable Communications Grants to local governments, as authorized through the SFY 19, and 20 budgets, and ensure that future authorizations are released in full in the budget year they are appropriated so that the County may maintain its critical 911 system and ensure that upgrades are made to keep the system at optimal operating levels for the safety of its residents.

Section 2. That the Lewis County Board of Legislators further calls upon the State to facilitate a fair funding process and provide counties with the needed funding for PSAPs and Interoperable Communications, and not divert the funds to the State General Fund.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

Section 4. That the Clerk of the Board is directed to forward certified copies of this Resolution to Governor Andrew Cuomo, to the majority and minority leaders of the NYS Senate and Assembly, and to all others the Board may direct.

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 114 - 2021
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES AND
WITH COMMUNITY ACTION PLANNING COUNCIL
OF JEFFERSON COUNTY, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Commissioner of Social Services of Lewis County is an authorized Social Services official responsible and designated by the New York State Office of Children and Family Services, insofar as funds are available for that purpose, to register and inspect family day care and school aged child care providers in Lewis County; and

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 in fulfilling the obligation to inspect and register daycare providers. The Commissioner of 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 agreements;

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 with:

- A. New York State Office of Children and Family Services for the purpose of providing federal funding to the Lewis County Department of Social Services in the amount of \$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.

and

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B. 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, at an annual 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 2. That the term of these Agreements shall be from January 1, 2021 through December 31, 2021. The cost of these services are 100% federally funded.

Section 3. That the Lewis County Commissioner of Social Services is hereby authorized to make, execute, seal and deliver the New York State Office of Children and Family Services agreement and any extensions thereto, pending review and approval by the County Attorney.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver the Community Action Planning Council of Jefferson County, Inc. Agreement, and any extensions thereto provided the amount remains the same, pending approval by the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 115 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
DEPARTMENT OF SOCIAL SERVICES AND SUNY POTSDAM
FOR TRAINING AND ADMINISTRATIVE ACTIVITIES**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and SUNY Potsdam to provide training projects for the Department of Social Service employees which includes Spring Leadership Institute, Fall Leadership Institute, and Professional Development Workshops.

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Section 2. That the term of this Agreement shall be from January 1, 2021 through December 31, 2021 for an amount not to exceed \$7,200.00 with said amount of \$2,880.00 being reimbursed to the Lewis County Department of Social Services through Federal and State funds.

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

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 116 - 2021
RESOLUTION INCREASING FEES ON CERTAIN ITEMS AT
LEWIS COUNTY TRANSFER STATION FOR THE
SOLID WASTE DEPARTMENT**

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

WHEREAS, pursuant to County Law § 226-b and the County of Lewis Local Law No. 2-2008, the Board of Legislators is authorized to establish, by resolution, schedules of rates or fees to be charged for solid waste collection and disposal at transfer stations and for the Lewis County Surcharge for direct haulers to the DANC landfill effective July 1, 2018; and

WHEREAS, the County wishes to amend its fee schedule to increase the price of tires from \$3.25 per tire to \$5.00 per tire and the price of mattresses from \$7.75 per mattress to \$10.00 per mattress; and

WHEREAS, the Lewis County Solid Waste Department seeks to have the Board of Legislators authorize and approve these increases effective June 1, 2021;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby amends the Solid Waste fee schedule to reflect an increase in the price of tires from \$3.25/tire to \$5.00/tire and the price of mattresses from \$7.75/mattress to \$10.00/mattress.

Section 2. That the Lewis County Board of Legislators hereby authorizes and approves these increases for Lewis County Solid Waste Department effective June 1, 2021.

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

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

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**RESOLUTION NO. 117 – 2021
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				
Legislator	Lisa Virkler	6	12/2/2020 – 12/31/2021	2.37
Appointed Officials				
Pathologist	Samuel Livingstone, MD	6	01/01/2021 – 12/31/2021	5.19
Election Commissioner	Ann Nortz	8	01/01/2021 – 12/31/2022	21.67
Election Commissioner	Lindsay Burriss	8	01/01/2021 – 12/31/2022	21.67
Deputy Election Commissioner	Nicole Turck	7	01/01/2021 – 04/09/2021	21.17
Deputy Election Commissioner	Mindy Lucas	7	01/01/2021 – 12/31/2022	21.67

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 4th day of May, 2021.

**RESOLUTION NO. 118 - 2021
RESOLUTION TO APPROPRIATE FUNDS
Public Defender**

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

BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following budget appropriation is hereby approved in the Public Defender Department accounts to recognize funds awarded from NYS Office of Indigent Legal Services. These funds have been previously approved by resolutions #8-2021 (Distribution #10), #49-2021 (Distribution #11) and #110-2021 (Statewide - Year 3 funding).

Increase Revenue:

A0117000 330260	ILS Dist #10	\$ 56,964.00
A0117000 330261	ILS Dist #11	\$113,928.00
A0117000 330259	ILS Statewide - Yr 3 Funding	\$432,069.49

Increase Expense:

A0117000 494905	ILS Exp Dist #10	\$ 56,964.00
A0117000 494906	ILS Exp Dist #11	\$113,928.00
A0117000 494959	ILS Exp Statewide – Yr 3 Funding	\$432,069.49

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 4th day of May, 2021.

OTHER BUSINESS:

There was a proclamation read commemorating May 2021 as National Foster Care Month; there was a second proclamation read commemorating May 2021 as Mental Health Month.

Legislator Hathway suggested that, like in past years, the Board’s monthly meeting could be held at different locations throughout the county. He thought the first location could be West Leyden as Legislator King will not be running for re-election, another location could be the Copenhagen area. Joan McNichol stated that the location would have to be set at the Board meeting prior. Chairman Dolhof thought it could be looked into, but we need to make sure that the restrictions are lifted.

Legislator Chartrand stated that a few years ago there was a small committee of Legislators who looked into registering UTVs. The state might be open to the idea if they could understand the amount of money it would bring into the state, especially if several counties were on board with pushing the issue. It could also be something that the state authorizes each county to decide on, much like the local law being introduced to allow 12- & 13-year-olds to hunt. Ryan thought the ATV survey that will happen over the summer might give some statistical data that can be used to persuade the state. Chairman Dolhof stated that there is quite a bit going on behind the scenes for this effort, once he knows all of the key players involved he would like to contact Senator Griffo to set up a meeting to get everyone together to move things forward.

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn the meeting at 5:50 p.m., seconded by Legislator Kulzer and carried.

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REGULAR MEETING
June 1, 2021

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

Roll Call: 8 Legislators were present, Legislators Hathway and Kulzer had been excused. There were 11 other persons present.

Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the May 4, 2021 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
Ian Gilbert
Ronald Burns

Dated: June 1, 2021

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

PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened up the public hearings at 5:03 p.m. for the following: Normander Unsafe Structure hearing, which County Attorney Joan McNichol reported the property had been demolished and cleaned up so no hearing was necessary; Intro. Local Law No. 1-2021 "A Local Law Authorizing 12- and 13-year Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of a Licenses Adult Pursuant to Environmental Conservation Law 11-0935; CARES Act funding for broadband infrastructure needs under a NYS CDBG-CV application for 2020 funds; CDBG Lewis County Homeownership Program project #636HO318-19; and CDBG Lewis County Housing Rehabilitation Program project #636HR333-18.

Snow Belt Housing Director Jaylyn Yuhas-Heames stated that in April of 2019 Lewis County applied for \$489,510 in funding through the Community Development Block Grant Program for the **Lewis County Direct Homeownership Assistance Program 2019**. The first public hearing was held on April 2nd, 2019 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 assistance to rehabilitate the housing unit to ensure that it meets code and HQS (Housing Quality

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Standards), as developed by the U.S. Department of Housing & Urban Development (HUD).

This application was successful, and the County was awarded \$489,510. The Grant Agreement stipulated that all funds must be expended within 24 months; with an end date of June 28, 2021. The application anticipated that twelve households would be assisted with estimated program funds of \$300,000 for mortgage buy down and closing costs and \$120,000 for rehabilitation of the purchased homes. An additional \$69,510 was used for administration and program delivery assistance, bringing the total grant amount to \$489,510.

The program is now nearing completion with a total of twelve homes that have been or will be provided assistance; the exact total anticipated in the application. The average down payment and closing costs assistance provided was \$14,988. One of the households did not need any repairs. The average repair cost for the eight homes that have been completed was \$31,011 with ranges from \$18,088 to \$37,718. The average purchase price was \$90,576 and the average mortgage was \$72,993.

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 two homes were located in the village of Croghan, one in Glenfield, six in Lowville, two in Lyons Falls, one in Port Leydon and one in Turin.

She then stated that in November of 2018 Lewis County applied for \$718,200 in funding through the Community Development Block Grant Program for the **Lewis County Housing Rehabilitation Program**. A public hearing was held on July 3, 2018 in preparation for the application and a second public hearing is being held today to provide residents with the opportunity to offer any comments on the accomplishments of the grant.

The purpose of the program was to provide low- and moderate-income households with grant funds to improve the health, safety, and energy efficiency of their home and to make accessible modifications as necessary to allow elderly homeowners to remain in their home as long as possible. All projects must meet code as well as HQS (Housing Quality Standards), as developed by the U.S. Department of Housing & Urban Development (HUD).

This application was successful, and the County was awarded \$718,200. A Grant Agreement was signed with a program effective date of January 24, 2019 and the agreement stipulated that all funds must be expended within 24 months (by January 25, 2021). The county did receive permission for one extension, so the new deadline will be June 30, 2021. The application anticipated that that twenty substandard homes occupied by low and moderate-income households located on scattered sites throughout the county would be assisted. Sixteen of the total applicants were projected to be single family households with estimated program funds of \$500,800 and four were projected to be multi-unit households with estimated program funds of \$105,200; total project cost of \$606,000.

The program is now nearing completion and 20 households have been or will be provided assistance; the exact amount anticipated in the application. Of the 20 households assisted, seven have reported a disability, four are occupied by senior citizens and two households have a female

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head of household. One household was modified to meet the accessibility needs of the resident. The average CDBG assistance provided to the fourteen completed projects was \$29,363 with a range of assistance from \$15,650 to \$45,011. Four households also utilized \$25,930 in additional funding provided by other grants awarded to Snow Belt bringing the total project costs up to \$631,930. Energy audits were completed by Lewis County Opportunities and any weatherization related work is included in the scope of work either by Opportunities or by the contractor. Lead based paint risk assessments and clearances are completed for homes that are built prior to 1978 when lead paint was banned. The contractors are required to use lead safe work practices and pass a clearance test ensuring that the home is free of lead hazards. If the rehabilitation cost exceeds \$25,000, lead abatement is required. Radon tests are completed for all assisted homes and if the radon levels are high, a radon mitigation system is installed.

The rehabilitation work completed included all single-family housing units; two of which were rentals. There was no permanent displacement or relocation. The program was truly a countywide program in that three homes were located in Boonville, two in Constableville, one in Copenhagen, one in Croghan, two in Diana, one in Harrisville, six in Lowville, four in Port Leyden and one in Turin. The majority of the contractors live in Lewis County as well.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Legislator Hathway, who couldn't be here tonight, would like to recognize Trooper Nicholas A. Augliano, who was born and raised in the Town of Diana, and recently honored as Troop B Trooper of the Year – Zone 2. His hard work and dedication to serving those in need is commendable!

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the May 2021 Treasurer's report; and Highway & Solid Waste May Audit reports. Real Property Director Candy Akin and County Treasurer Eric Virkler have filed approved applications for refunds or credit of real property taxes for property owners VS Virkler & Son Inc. and Gerri Maciejko; as well as an approved application for 2020 corrected tax roll for property owner Valley Baptist Church of Osceola which have been placed on file with the Clerk of the Board.

Brian Mooney submitted the April and May 2021 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 put out an RFP for website update/design with funding to come from the Capital Data Processing account, seconded by Legislator Chartrand and carried.

Legislator Osborne made a motion to authorize Treasurer Eric Virkler to use funds from the Capital Buildings account to pay for the C & S Concept Phase of the Renovation Project not to exceed \$114,460.00, seconded by Legislator Virkler and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Osborne made a motion to move the July Legislative Committee meetings to Monday, July 19th, 2021 due to the Lewis County Fair Parade on the following day, seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize Planning Director Casandra Buell to refill one (1) full-time Community Development Specialist position due to resignation, effective immediately, seconded by Legislator Burns and carried.

Legislator King made a motion to authorize Recreation, Forestry & Parks Director Jackie Mahoney to put out an RFP for the Singing Waters bathhouse project, seconded by Legislator Virkler and carried.

Legislator King made a motion to authorize Buildings & Grounds Supervisor Matt O'Connor to refill one (1) full-time Cleaner position due to resignation, effective immediately, seconded by Legislator Chartrand and carried.

COUNTY MANAGER REPORT:

County Manager Ryan Piche reported that there are 9,200 fully vaccinated residents in Lewis County; the school-based vaccination clinics were a success; the Lewis County Fairgrounds drive thru clinic was well received; and the social media video of Mr. Joseph Bush had 40,000 views.

The Solid Waste construction project is moving along with construction starting in a couple of weeks. C & S should have the Concept Phase report finalized by June 8th, in time for discussion at the Committee meetings on June 15th. The NYS County Administrators Association is meeting on Friday, June 4th in Madison County, which Ryan will be attending, to discuss American Recovery Act funds and Medicaid payments. The county is ahead of the group in planning what to do with the American Recovery Act funds but slightly behind on applying for and receiving the funds. Medicaid payments had been reduced but recently were increased with little notice from the state and the only reason given is that the formula used to calculate these payments was changed. The increase is roughly \$11,000.00 each week, luckily the budget was done conservatively.

Lastly this is the week of Community Cup, which has been going on the last 4 years but last year the event was cancelled due to the pandemic. There are events all week long and the Courthouse is hoping to redeem themselves from placing last in 2019.

In response to Legislator Gilbert, Ryan stated that the process to be awarded the American Recovery Act funds is to have a DUNs number, which we already do, and then go through a separate online registration process. This will allow the county to access the funds and "spend down" against them. Legislator Moroughan reported that there are 10,380 residents who have received their first dose of the vaccine, and in response to Legislator Gilbert Ryan stated that there hasn't been any problem with individuals not showing up for their second dose.

COUNTY TREASURER REPORT:

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County Treasurer Eric Virkler reported that he is working on the process to access the American Recovery Act funds and as he learns more will be passing that information along to Towns. Sales Tax revenue is already 17% over last year at this time, the fund balances are all healthy.

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

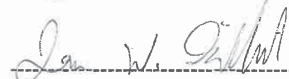
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,016,782.86 and recommend that they be audited and allowed for the amounts claimed.



Thomas Osborne Chair



Ronald Burns Vice-Chair



Ian Gilbert Committee

Excused

Greg Kulzer Committee

Excused

Phil Hathway Committee

Dated: June 1, 2021

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

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**RESOLUTION NO. 119 – 2021
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 \$ 1,016,782.86 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021 by the following roll call vote:

AYES: King, Chartrand, Burns, Virkler, Gilbert, Moroughan, Osborne, Dolhof

NAYS:

ABSENT: Kulzer, Hathway

**RESOLUTION NO. 120 - 2021
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2 – 2021, 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 May 4, 2021, directing that a public hearing be held by said Board on June 1, 2021 from 5:00 p.m. to 5:30 p.m. to hear all interested parties on a proposed Local Law entitled “A LOCAL LAW AUTHORIZING 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT PURSUANT TO ENVIRONMENTAL CONSERVATION LAW §11-0935”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on May 26, 2021, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 1-2021), County of Lewis, being “A LOCAL LAW AUTHORIZING 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT PURSUANT TO ENVIRONMENTAL CONSERVATION LAW §11-0935”, be and the same hereby is designated as Local Law No. 2–2021, County of Lewis.

Section 2. That Law No. 2–2021, 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 King, seconded by Legislator Burns.

Legislator Chartrand commented that as a 30-year hunter safety instructor his initial thought was that this would be a revenue generator for the state. Upon research he found that this was not a significant source of revenue however, New York State is one of approximately three states in the United States that does not allow 12 and 13 year old licensed hunters. As there are no County lines in the woods, he believes it would have made more sense for the state to pass the law rather than leaving the decision to individual counties. There are positives and negatives associated with the law but he does not oppose it.

Chairman Dolhof commented that County opt in was not DEC choice, however there were large Counties in other areas of the state that were not comfortable with the law so the opt in was implemented.

The resolution was then adopted on the 1st day of June, 2021 pursuant to the following roll call vote:

YEAS: Chartrand, Gilbert, Moroughan, Burns, Virkler, Osborne, King, Dolhof

NAYS:

ABSENT: Kulzer, Hathway

**RESOLUTION NO. 121 - 2021
RESOLUTION AWARING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND EMPIRE NORTHEAST, INC.
TO REPLACE AND INSTALL A NEW BOILER SYSTEM
AT THE LEWIS COUNTY PUBLIC SAFETY BUILDING**

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

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WHEREAS, the Lewis County Buildings and Grounds Department recently sent out a Request for Proposals for the replacement and installation of a new boiler system at the Lewis County Public Safety Building, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the Director of Buildings and Grounds, contracted engineers, the County Manager and member of the General Services Committee were present on May 6, 2021, at 2:00 p.m. to open bids received and considered the four (4) responses to the RFP; and

WHEREAS, after review and consideration of the proposals, the Director of Buildings and Grounds recommends awarding the bid to Empire Northeast, Inc., the lowest bidder, in accordance with the specifications and scope of work set forth in the RFP and Bid Documents in consideration of the payment of \$169,770; and

WHEREAS, the Board of Legislators seeks to award the bid to Empire Northeast, Inc. and authorizes 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 Empire Northeast, Inc., 248 West Main Street, Gouverneur, NY 13642 to replace and install a new boiler system at the Lewis County 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 \$169,770 commencing on or about June 2, 2021 through July 2, 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 and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 122 - 2021
RESOLUTION ACCEPTING GRANT AWARD AND AUTHORIZING A
MEMORANDUM OF UNDERSTANDING BETWEEN THE
COUNTY OF LEWIS AND THE VILLAGE OF LOWVILLE
TO SHARE GRANT FUNDING FOR
2020/2021 CRIMINAL JUSTICE DISCOVERY REFORM**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

WHEREAS, New York State Division of Criminal Justice Services (“DCJS”) has awarded grant funding for the County of Lewis (Project ID No.: DG20-1022-D00) to support local law enforcement agencies with expenses related to the implementation of discovery and bail reforms that took effect January 1, 2020; and

WHEREAS, the County’s award was \$59,371, to be used for the fiscal year April 1, 2020 through March 31, 2021, for prorated share of criminal court arraignments statewide and the submission by the county of a Discovery Reform Funding Plan (“Plan”); and

WHEREAS, the Plan detailed the distribution of funds through sub-grants to specific law enforcement entities within the County. The Plan was submitted to DCJS using the DCJS Grants Management System (“GMS”) with a breakdown and description of expenditures that included the District Attorney’s Office, Sheriff’s Office and Probation Department and the Village of Lowville Police Department for eligible expenses; and

WHEREAS, the Board of Legislators wishes to authorize and approve an agreement with Village of Lowville Police Department for reimbursement of their eligible expenses under the plan; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators accepts the New York State Division of Criminal Justice Services grant funds (Project ID No.: DG20-1022-D00) of \$59,371, as set forth in the following submitted Plan:

District Attorney’s Office	\$12, 455	Computers, Scanners & Software
District Attorney’s Office	\$36,955	Expansion of Assistant District Attorney from half-time to full-time
Sheriff’s Office	\$ 5,323	Computers, Monitors, Cameras, & Scanners
Probation Department	\$ 1,538	Laptops & Cameras
Lowville Village Police Department	\$ 3,100	Computers, Monitors, Cameras, Scanners & Printers

Section 2. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding between the County of Lewis and the Village of Lowville Police Department related to the reimbursement to the Village for the expenses it incurred under the Grant Plan. Upon execution of the MOU and receipt of expenses incurred as itemized, the Village of Lowville Police Department is to be issued the sum of \$3,100.00 from the DA Professional Services account.

Section 3. That the following appropriation is hereby approved for DG20-1022-D00 grant funds:

JUNE 1, 2021

Increase Revenue:

A0116500 330302 DA NYS Discovery 2021 grant \$59,371

Increase Expense:

A0116500 490100 DA Professional Services \$ 3,100

A0199000 499900 Contingency \$56,271

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such Agreement, and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 123 - 2021
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 be approved in the County Road accounts for expenses related to the annual CHIPS program;

Increase Expense:

D0511000 491040 Maintenance Materials \$180,000.00

D0550000 491520 Bridge Materials \$ 30,000.00

Decrease Expense:

D0515000 495150 Paving Materials \$210,000.00

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 124 - 2021
RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 2 TO THE
CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION (NYSDOT) AND LEWIS COUNTY FOR THE
TRANSPORTATION FEDERAL-AID BRIDGE REPLACEMENT PROJECT**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

(PIN 775387) KNOWN AS CR 29 (WEST ROAD) OVER WHETSTONE CREEK

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

WHEREAS, a Project for the Bridge Replacement known as CR 29 (West Road) over Whetstone Creek (PIN 775387; BIN 3340230) (the “Project”) in the Town of Martinsburg, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

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

WHEREAS, the County of Lewis advanced the Project by authorizing a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering/Design and Right-Of-Way (ROW) Incidentals Phases of the Project by Resolution No. 139-2019 adopted May 7, 2019; and

WHEREAS, the Superintendent of Highways received notice from the NYS DOT that the County will receive additional funding, which amends the previously adopted Schedule A funding by adding the Final Design phase of this project which covers eligible costs incurred on or after March 5, 2021. Specifically, the County will receive an additional \$100,000.00 for the Final Design Phase of the Project; and

WHEREAS, in order for the County to receive the full, additional reimbursement, a Supplemental Agreement titled “Supplemental Agreement No. 2 to D036200” must be executed;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chairman of the Board of Legislators to execute a supplemental agreement to the CR 29 (West Road) over Whetstone Creek (PIN 775387; BIN 3340230) NYS DOT Contract, identified as “Supplemental Agreement No. 2 to D036200” for the Final Design Phase funding of the project.

Section 2. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute all additional 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.

JUNE 1, 2021

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. 2 to D036200, in connection with the Project.

Section 4. That \$100,000.00 shall be appropriated in the Capital Bridge Program to facilitate the Final Design Phase for the Bridge Replacement on CR 29 (West Road) over Whetstone Creek (PIN 775387; BIN 3340230) in the Town of Martinsburg. The following accounts shall be recognized to facilitate the funding of this project:

Increase Revenue:

H0512000 345970 Federal	\$80,000.00
H0512000 350310 Local	\$20,000.00
Project HAP	

Increase Expense:

H0512000 499900	\$100,000.00
Project HAP	

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 125 -2021
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>
Purchasing Agent	Full-time	Not to exceed \$47,000/yr
Stores Clerk	Part-time	\$13.82 - \$17.90/hr

Section 2. That the above shall be effective immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 126 – 2021
RESOLUTION IN SUPPORT OF PROPOSED BILLS S2708 / A1203
AMENDING LAWS TO CREATE AN ATV TRAIL FUND, USE OF ATVs AND
INCREASE WEIGHT LIMIT TO 1,800 LBS**

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

WHEREAS, NYS Bills A1203 /S2708 are pending with potential movement on same before the close of this year's legislative session; and

WHEREAS, these Bills propose amendments to the Vehicle and Traffic Law (VTL) in sections 2281, 2282, 2404, and 2411; amendments to the Parks, Recreation and Historic Preservation Law (PRHPL) by adding a new Article 26 establishing the All-Terrain Vehicle Trail Fund, and amendments to the State Finance Law (SFL) and Environmental Conservation Law (ECL) in the establishment of the trail fund and trespass violations fines which would support enforcement, education, remediation and maintenance and development of the statewide trail system; similar to how the State regulates, operates and maintains snowmobile trails;

WHEREAS, New York State's definition of all-terrain vehicles has become sorely obsolete. Advances in technology and design have resulted in these vehicles being of greater weight, but not posing any greater negative environmental impact by same. The proposed increase in weight to 1,800 lbs will accommodate the more modern versions of ATVs (UTVs). The primary causes of environmental damage from ATVs or UTVs or any off-road vehicle are poor driving habits, riding in unsuitable areas and recklessness. Lewis County, working with its ATV club partners, has created an extensive, safe, and environmentally sound ATV trail system that is constantly repaired, maintained to eliminate environmental damage; and

WHEREAS, this proposed legislation will actually afford other populations, such as the elderly, families with young children, and the infirm to have the ability to ride safely and experience our beautiful trails, forests and wilderness, and have access for hunting, trapping or fishing on allowable lands. Further, these amendments will increase sales revenue for both the State (sale of new vehicles in New York) and in our local economies. Because of NY's archaic definition, many UTV enthusiasts are purchasing and registering these vehicles out of state. Increasing the weight limit to include UTVs/side-by-sides will allow users to register their vehicles in New York and generate more revenue to the State in sales tax and vehicle registrations as a means to support the ATV trail fund; and

WHEREAS, all-terrain vehicles, whether under or over 1000 pounds, are both a working tool and a means of recreation in Lewis County. They are positive contributors to the State and local economy and their legal use should be fully supported by the State regulatory structure. The Lewis County Board of Legislators seeks to support these proposed Bills and increase the local economy which this vital recreational vehicle represents to our County, its Towns, Villages and Businesses;

NOW, THEREFORE, BE IT RESOLVED, as follows:

JUNE 1, 2021

Section 1. That the Lewis County Board of Legislators hereby acknowledges its continued support for increasing the weight limit on the definition of an ATV under the VTL to include UTVs and/or Side-By-Sides up to a dry weight of 1800 pounds as these proposed Bills sets forth; its support of the establishment of a trail fund that supports the administration and maintenance of existing ATV trails and trail riding while promoting education on sound, safe and responsible land use; and encourages the State Senate, Assembly and Governor to act on these Bills with all due haste.

Section 2. That the Lewis County Board of Legislators directs that a copy of this resolution be forwarded to Governor Andrew Cuomo, Senator Joseph Griffo, Assemblyman Ken Blankenbush, the NYS Senate and Assembly Majority and Minority Leaders, and any other State or Local Agencies or Municipalities the Board deems appropriate.

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

Moved by Legislator Virkler, seconded by Legislator Gilbert.

Legislator Chartrand voiced his opinion that these proposed bills have the potential to create a significant revenue stream for the state and counties. New York State is one of the last few states that do not allow UTV's to be registered, even though they have multiple safety features and are accessible to a wide range of consumers.

County Manager Ryan Piche stated that it is important for the county to weigh in on these issues and suggested looking into a firm that could assist the county in having a larger impact in Albany. He also explained that bills of this nature involve various committee approvals prior to moving forward and dissent at any level may halt passage. Ryan went on to voice that he believes New York State is the only state that doesn't recognize UTV's/side-by-sides and it is unfortunate for the upstate rural areas that depend on recreation.

Legislator Gilbert suggested having NYSAC advocate for this as well.

The resolution was then adopted on the 1st day of June, 2021.

**RESOLUTION NO. 127 - 2021
RESOLUTION AUTHORIZING ACCEPTANCE OF
2021 NEW YORK STATE DEPARTMENT OF HEALTH
WALKABILITY ACTION INSTITUTE GRANT FUNDING**

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

WHEREAS, the National Association of Chronic Disease Directors ("NACDD") believes all states and communities should be designed to support physical activity and non-motorized forms of transportation so that people can have the policy, system, and environmental ("PSE") supports needed to engage in active lifestyles, whether recreationally or through

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essential daily functions like commuting to and from work, to community destinations, and/or places of interest (community events, schools, shopping, etc.); and

WHEREAS, this vision would yield access and opportunity for active living through multiple community sectors, and could reduce the behavior of physical inactivity over the long-term, which is a main risk factor for chronic diseases and leading causes of death and debilitation like heart disease, stroke, hypertension, obesity, and type II diabetes; and

WHEREAS, NACDD realizes that making states and communities more walkable is not just a public health problem; it involves public health counterparts including transportation, planning, education, elected officials, economic development, housing, transit, parks and recreation, and a variety of advocacy groups; and

WHEREAS, Lewis County has been awarded \$15,000 in grant funding through Departments of Planning and Community Development and Public Health who will collaborate to perform community walkability assessments and implement complete streets policies for participating municipalities. They will attend virtual courses, develop team action plans, and implement PSE outcomes to make our community more walkable over the long term; and

WHEREAS, the Lewis County Board of Legislators desires to participate in the project and receive said funding;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby accepts the 2021 New York State Department of Health Walkability Action Institute Grant Funding in the amount of \$15,000 for the Departments of Planning and Community Development and Public Health to participate in virtual courses to develop team action plans and implement PSE outcomes to make our community more walkable over the long term.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute any agreements or other documents which may be required to give effect to receipt of these Grant funds.

Section 3. That the following appropriation is hereby approved for grant funds:

Increase Revenue:

A0802000 339018 Planning NYS Walking Grant	\$15,000
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Increase Expense:

A0802000 495015 NYS Walking Grant Expense	\$15,000
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Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

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**RESOLUTION NO. 128 - 2021
RESOLUTION AUTHORIZING APPLICATION FOR
COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19 RESPONSE
FUNDING FOR BROADBAND INFRASTRUCTURE**

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

WHEREAS, the County of Lewis, by and through the Lewis County Planning and Community Development Department, desires to apply for 2020 New York State Community Development Block Grant (NYS CDBG) funding CDBG-CV (COVID-19 Response) administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR) in an amount not to exceed \$1,000,000.00; and

WHEREAS, a public hearing was held on June 1, 2021 to solicit the views of County of Lewis citizens regarding the CARES ACT funding for broadband infrastructure needs; 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 Lewis County Planning and Community Development Department, to submit an application for New York State Community Development Block Grant CDBG-CV funding administered by the Housing Trust Fund Corporation's Office of Community Renewal in an amount not to exceed \$1,000,000.00 for broadband infrastructure needs.

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, upon review and approval of the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 129 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY AND
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
TO PROVIDE PROJECT MANAGEMENT AND TECHNICAL SERVICES
UNDER THE COUNTY'S BROADBAND EXPANSION PROJECT**

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

WHEREAS, Development Authority of the North Country ("DANC") is a public benefit corporation organized and existing under the laws of the State of New York, having an office

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and principal place of business located at 317 Washington Street, Watertown, New York 13601; and

WHEREAS, the County of Lewis (“County”) is requesting technical engineering, administration and management services from DANC to assist the *ad hoc* committee formed by the Chairman of the Board for the County’s Broadband Expansion Project

WHEREAS, DANC has experience working in fiber optics and broadband, and has the staff with technical expertise to provide the engineering, administration and planning services which will be required in such an expansive, technical project; and

WHEREAS, the County seeks to enter into an agreement with DANC for these services in assisting the County in its pursuit of broadband expansion in Lewis County, at a cost not to exceed \$100,000.00; and

WHEREAS, the Lewis County Board of Legislators wishes to accept such services and enter into an agreement for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves an agreement between the County and DANC to provide technical engineering, administration and project management services to assist the County’s *ad hoc* Broadband Expansion Project committee, at a cost not to exceed \$100,000.00 in accordance with DANC’s current hourly rates for specific job classification performance of those providing the services.

Section 2. That the term of the agreement shall be for a period of twelve (12) months from execution of the agreement, with the County’s ability to extend the term as may be required under the project.

Section 3. That funding for the payment of these services will be from the American Rescue Plan Resources to Lewis County.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 130 - 2021
RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND JOULE ASSETS, INC.**

JUNE 1, 2021

**TO SERVE AS COMMUNITY CHOICE AGGREGATION ADMINISTRATOR
FOR LEWIS COUNTY MUNICIPALITIES**

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

WHEREAS, the Lewis County Planning and Community Development Department (“Planning Department”) recently sent out a Request for Proposals for a Community Choice Aggregation (“CCA”) Administrator for Lewis County Municipalities, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the CCA Administrator will help municipalities evaluate and select energy suppliers to create renewable energy procurement agreements that provide discounted rates for eligible customers. The CCA Administrator is responsible for public education and outreach on CCA programs, processing customer enrollment, and assisting municipalities in submitting documentation to earn Clean Energy Communities designation; and

WHEREAS, after review and consideration of the proposal received by Joule Assets, Inc., the Planning Department believes Joule Assets, Inc. meets all the criteria outlined in the RFP and recommends awarding the bid to Joule Assets, Inc., in accordance with the specifications and scope of work set forth in the RFP; and

WHEREAS, the Board of Legislators seeks to award the bid to Joule Assets, Inc. and authorizes 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 Joule Assets, Inc., 10 Bank Street, Suite 560, White Plains, New York 10606 for a Community Choice Aggregation Administrator for Lewis County Municipalities, in accordance with the specifications and requirements set forth in the RFP. There are no upfront costs or fees to the County as a participant. Administrator fees are collected by Joule Assets, Inc. directly from the electricity supplier.

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 thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 131 - 2021
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND VARIOUS PROVIDERS**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

FOR PRESCHOOL SPECIAL EDUCATION PROGRAMS

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, pursuant to Section 4410 of the New York State Education Law, Lewis County Public Health (“Public Health”) is tasked with providing certain Preschool Tuition-Based and Related Services for children with disabilities defined in the Program; and

WHEREAS, the various school contracts may include services of one-on-one aids, related services, evaluations and transportation; 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 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 agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes agreements with the following agencies and independent contractor who provide services to the Preschool Special Education Program for children with special education and health care needs.

AGENCY CONTRACTORS
3 Circles Therapy
Adirondack Central School
Beaver River Central School
Building Blocks Learning Center
Building Blocks SLP, OT & PT Family Services, PLLC
Camden Central School
Carthage Central School
Central Association for the Blind and Visually Impaired
Children’s Therapy Network
Copenhagen Central School
Gouverneur Central School District
Harrisville Central School
Jefferson-Lewis BOCES
Kelberman Center
Lewis County Health Systems
Lowville Academy Central School

JUNE 1, 2021

Margaret L. Williams Developmental Evaluation Center
Milestones Children’s Center
South Lewis Central School
Special Programs, Inc. (d/b/a Little Lukes)
The ARC of Jefferson-St. Lawrence - Bright Beginnings
Upstate Cerebral Palsy
INDEPENDENT CONTRACTORS
Susan Gydesen, CSW

Section 2. That this is for the period beginning July 1, 2021 and will automatically renew each year unless the contract is terminated by either party and it must be upon a ninety (90) day written notice, 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 local school districts Committees on Special Education.

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

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 132 - 2021
RESOLUTION TO APPROPRIATE FUNDS
Sheriff’s Office**

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 Sheriff’s Office accounts to reflect an insurance recovery for a vehicle determined to be unrepairable. The insurance proceeds received will be used to offset future lease costs for a replacement vehicle acquired under the County’s Enterprise lease program.

Increase Revenue:

A010000 326800 Insurance Recoveries \$37,740.00

Increase Expense:

A0311000 223400 Sheriff Vehicle Lease \$37,740.00

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

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Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

RESOLUTION NO. 133 - 2021
RESOLUTION AUTHORIZING ACCEPTANCE OF TEMPORARY ASSISTANCE for
NEEDY FAMILIES (TANF) ALLOCATION FOR NON-RESIDENTIAL DV SERVICES
AND AGREEMENT BETWEEN LCDSS AND LEWIS COUNTY OPPORTUNITIES,
INC. AS SERVICE PROVIDER UNDER THE PLAN

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Commissioner of Social Services received notification that the Department of Social Services (LCDSS) has been awarded \$25,000.00 in allocation funds from the NYS OCFS for non-residential domestic violence (DV) services under the TANF program, for SFY 2020-2021; and

WHEREAS, these TANF funds must be used to provide enhanced or expanded core and/or optional non-residential DV services and programs recognized by OCFS, and can only be used for services provided to families with children and whose income is at or below 200% of the poverty level; and

WHEREAS, in order to access these allocated funds, the Commissioner must execute an attestation and service plan with OCFS, including the name(s) of any service provider(s) the Department engages to provide identified services under the plan; and

WHEREAS, the Commissioner seeks to enter into a renewal agreement with Lewis County Opportunities, Inc., to provide the non-residential domestic violence response and prevention services under this allocation; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this funding and the agreements required in providing the services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Commissioner of Social Services to execute the agreement/attestation form and service plan required by OCFS in order to receive the \$25,000.00 TANF allocation funds for Non-Residential DV services for SFY 2020-2021.

Section 2. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Department of Social Services and Lewis County Opportunities, Inc., for the purpose of providing non-residential domestic violence response and prevention services under the plan submitted by LCDSS to OCFS.

JUNE 1, 2021

Section 3. That the term of said agreement shall be from January 1, 2021 through December 31, 2021, for an amount not to exceed \$25,000.00 in allocation funds.

Section 4. That the following appropriation is hereby approved for SFY20-21 TANF Non-Residential DV Services program:

Increase Revenue:

A0610900 346090 Fed Aid \$ 25,000.00

Increase Expense:

A0610900 460900 Non-Res DV \$ 25,000.00

Section 5. That the Lewis County Commissioner of Social Services is hereby authorized to make, execute, seal and deliver said Agreement, upon review and approval by the County Attorney.

Section 6. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 134 – 2021
RESOLUTION TO APPROPRIATE FUNDS
FOR CAREERS HERE PROGRAM**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Pratt-Northam Foundation is providing funds for the Careers Here Worker Program for BOCES students or in-college (undergraduate or graduate) students during the summer of 2021 at an hourly rate of \$12.50, minimum wage.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved:

Increase Revenue

A0638100 327061 Careers Here Revenue \$70,645.00

Increase Expense

A0638100 499900 Careers Here Expenditures \$70,645.00

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

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Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 135 - 2021
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING
WITH THE COUNTY OF LEWIS AND
LEWIS COUNTY SOLID WASTE DEPARTMENT FOR
RE-PAYMENT OF INDEBTEDNESS**

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

WHEREAS, the Lewis County Board of Legislators has agreed to an improvement project at the Solid Waste Transfer Station located at 7652 State Route 26, Lowville, New York, with an estimated cost of \$1,800,000.00; and

WHEREAS, the Lewis County Solid Waste Department (Solid Waste) is an enterprise fund, with a revenue stream generated from its users to cover expenses; and

WHEREAS, the Solid Waste Department seeks to have the County of Lewis transfer \$1,500,000.00 from the County's General Fund to Solid Waste Department for the purpose of providing funds for the project, in consideration of Solid Waste repaying the monies advanced by the County in annual installment payments over a (20) year period; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the MOU and accept annual payments by Solid Waste over a (20) year period, with interest at the rate of 1.5 % per annum;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding between the Lewis County Solid Waste Department and the County of Lewis wherein the County agrees to advance the sum of up to \$1,500,000.00 from the General Fund to Solid Waste for the Lowville Transfer Station upgrade project, in consideration of Solid Waste agreement to repay the County for the funds advance, with interest of 1.5 % per annum, payable in annual payments over a twenty (20) year period.

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 upon such form as may be approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

JUNE 1, 2021

**RESOLUTION NO. 136 - 2021
RESOLUTION AUTHORIZING AMENDMENT (CHANGE ORDER NO. 1)
TO AGREEMENT BETWEEN THE COUNTY OF LEWIS AND C&S TECHNICAL
RESOURCES, INC. FOR GENERAL CONTRACTING SERVICES UNDER THE
LOWVILLE SOLID WASTE TRANSFER STATION UPGRADE PROJECT.**

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

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department, recently entered into an agreement with C&S Technical Resources, Inc., (“C&S”) to provide general construction services as outlined in the RFP for transfer station renovations/improvements, at a cost of \$1,233,000.00; and

WHEREAS, C&S seeks a change order to the contract based upon significant materials price escalations for P.E.M.B. (\$4,180), miscellaneous steel (\$3,095), fencing (\$9,900), guardrails (\$3,410) and rebar (\$2,200), for an additional cost to the contract of \$22,785.00, bringing the total contract to \$1,255,785.00; and

WHEREAS, the Board of Legislators seeks to authorize this amendment/change order to the agreement conditioned upon C&S providing proper proof/documentation under the original raw bid to show the cost increases in materials from their suppliers;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby offers its conditional authorization to amendment the contract with C&S Technical Services, Inc., for general construction services at the Lowville Transfer Station project, identified as Contract Change Order No. 1 outlining specific material price escalation amounts, conditioned upon C&S providing proper and acceptable proof/documentation under the original raw bid to show the cost increases in materials identified in Change Order No. 1 from their suppliers.

Section 2. That upon satisfactory compliance with the condition set forth in Section 1 above, the Lewis County Board of Legislators authorizes said amendment/change order for price increases in certain materials at an additional cost of \$22,785.00, thereby increasing the contract cost from \$1,233,000.00 to \$1,255,785.00.

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

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

Moved by Legislator King, seconded by Legislator Moroughan.

Legislator Chartrand voiced his concern that even though costs are going up, and in this once in a lifetime situation it is appropriate, the county needs to guard against this type of issue

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going forward. In the future the county should ask for a list of subcontractors and their quotes with date stamps.

County Manager Ryan Piche stated that the bid went out in February and all bid amounts are held for 60 days. The contract was not executed within 60 days of the bid and therefore the contractor came back with price increases. A letter should go out when the bid is awarded with a statement that they can move forward with purchasing of materials.

Legislator King pointed out that this is the first time that the contractor hasn't moved forward with purchasing when they were awarded the bid. Ryan stated that C & S was waiting on the signed contract which went back and forth for several weeks, which caused the delay and ultimately the change order.

Chairman Dolhof questioned the actual increase on the specific materials, citing that some things have not risen that much in price.

The resolution was then adopted on the 1st day of June, 2021. Legislator Dolhof was opposed.

**RESOLUTION NO. 137 - 2021
RESOLUTION TO WAIVE HEALTH INSURANCE PREMIUM
UNDER THE LEWIS COUNTY HEALTH PLAN
FOR THE COUNTY AS EMPLOYER**

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

WHEREAS, pursuant to Resolution No. 416- 2019, the Board of Legislators authorized the waiving of health insurance premiums for all active County employees on the health plan for the month of December, 2019 (2 bi-weekly pay periods); and

WHEREAS, the 2019 premium holiday for the month of December did not extend to the employer's share toward the monthly premiums, so County government as the employer continued to contribute to the Self-Insured Internal Service Fund; and

WHEREAS, the County, as employer, contributes approximately 75% to the health insurance premiums for all participants. The employers' bi-weekly premium contribution for active employees only is approximately \$ 289,000.00 (or \$ 626,500.00 per month); and

WHEREAS, the balance in the Internal Service Fund is at a healthy level and above the recommended level. In order to balance the reduction/waiver of premiums which was extended only to active county employees in 2019, the hospital administration seeks to have the Board of Legislators authorize a waiver of health insurance premiums payable by the County, as employer, for its premium obligations for active employees, with said premium holidays to occur for the month of July, 2021 (2 bi-weekly pay periods);

JUNE 1, 2021

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby directs that health insurance premiums payable by the County as employer, for all active County employees, be waived for the month of July, 2021 (2 bi-weekly pay periods).

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

**RESOLUTION NO. 138 – 2021
RE-APPOINTING MEMBERS TO
LEWIS COUNTY YOUTH BUREAU 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 a two-year term on the Lewis County Youth Bureau Advisory Board:

Cinda Bush
Community Member
5595 Water Street
Lowville, NY 13367

Mike Leviker
Community Member
5252 Outer Stowe Street
Lowville, NY 13367

Scott Mathys
Community Member
Lewis County Opportunities, Inc.
8265 State Route 812
Lowville, NY 13367

Brian Finn
Community Member
Lowville Academy & Central School
7668 N. State Street
Lowville, NY 13367

John Exford
Community Member
4010 Edgewood Drive
Lyons Falls, NY 13368

Katie Zehr
Community Member
P.O. Box 48
Castorland, NY 13620

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Section 2. That the term of said appointments shall be effective July 1, 2021 through June 30, 2023.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 1st day of June, 2021.

OTHER BUSINESS:

County Manager Ryan Piche inquired if legislators were all in agreement with the Lewis County Stimulus Initiatives plan that he had sent out to them last month. Legislator Virkler questioned if there would be more information put together on each initiative, Ryan referenced the document that he had put together citing that there are still many unknowns with each program. Legislator Virkler asked for the document to be resent to each Legislator for further review. No one voiced any concern over the Stimulus Initiatives and the funding associated with them.

At 5:48 p.m. Legislator Chartrand made a motion to enter executive session, with County Attorney Joan McNichol citing it was for a particular person involved in a personnel matter, county property negotiations, and a county property litigation matter, seconded by Legislator Burns and carried. Chairman Dolhof asked for a 5-minute recess for the room to clear.

At 7:01 p.m. Legislator Chartrand made a motion to enter regular session and with no other business to come before the board adjourn the meeting, seconded by Legislator Burns and carried.

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**REGULAR MEETING
July 6, 2021**

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

Roll Call: 10 Legislators were present and 11 other persons.

Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the June 1, 2021 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
Philip Hathway

Dated: July 6, 2021

Legislator Kulzer made a motion to waive the rules, seconded by Legislator Burns and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Village of Lowville Mayor submitted a letter to the Board of Legislators outlining the Phase II upgrades at their sewer plant and asking the county to waive the twenty-dollar surcharge for sludge. Schuyler County submitted a copy of their letter to NYS Governor Andrew Cuomo explaining the devastating effects of Senate Bill S7196 and Assembly Bill A6762, which seek to impose liability on law-abiding businesses and individuals for the criminal misuse of firearms.

An email was received from Mr. Aaron Ross who asked the Board of Legislators to raise the smoking age to 25 citing the effort will galvanize the Tobacco 25 Movement and save thousands of lives.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the monthly Treasurer's report; 2nd Quarter Bed Tax report; and Highway & Solid Waste June Audit reports.

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REPORTS OF STANDING COMMITTEES:

Legislator Osborne made a motion to authorize County Attorney Joan McNichol to contract with Larsen Engineers to provide professional consulting on the production of the Counties solar array and determine any outstanding monies due to the County from Greenskies and/or National Grid at a cost of \$5,000.00, seconded by Legislator Hathway. Legislator Chartrand acknowledged and thanked Legislator Hathway for the work he put into researching this issue and bringing it to the attention of the full board. Legislator Hathway cited a previous months Treasurer's report and Legislator Dolhof questioning the numbers as what prompted him to investigate the matter. He reported that the May production was the second highest month since the project went online, stating that something was clearly fixed and Greenskies shows a higher percentage of loss than what he did. The motion was then carried.

Legislator King made a motion to authorize Buildings & Grounds Supervisor Matt O'Connor to put out an RFP for driveway repair on the Osceola Tower site, seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize Highway Superintendent Timothy Hunt to put out an RFP for snowplowing services on all County owned parking lots, seconded by Legislator Chartrand and carried. Legislator Moroughan was opposed.

Legislator King made a motion to authorize Planning Director Casandra Buell to put out an RFP for Housing Needs Assessment, seconded by Legislator Hathway and carried.

Legislator King made a motion to waive the \$20.00/ton surcharge fee on waste sludge for the Village of Lowville with respect to the Phase II upgrades for their sewer plant, seconded by Legislator Chartrand and carried.

Legislator Kulzer made a motion to authorize County Attorney Joan McNichol to prepare and submit appropriate RFP(s) for removal of any hazardous and/or non-hazardous materials from the Turin Brick Block Building after receipt and review of the testing results performed by the EPA, seconded by Legislator Virkler. Legislator Dolhof clarified that DANC would assist with creating the RFP(s). Legislator King questioned if the county needs further information from the EPA, Legislator Dolhof responded that the county is waiting on the formal written report from the EPA before proceeding with the RFP(s). County Attorney Joan McNichol explained the significance of the EPA formal report as a way to know exactly what to put in the RFP(s). Legislator Kulzer stated that this is just a head start so when the report is received things can move forward quickly as the site is a terrible mess. County Attorney Joan McNichol responded to Legislator King that the cost of clean-up would be put on the property owners tax levy which could potentially cause the property to come up for tax auction. The motion was then carried.

Legislator Kulzer made a motion to amend the February 2, 2021 contract with DANC to authorize professional assistance in creating the appropriate RFP(s) for removal of materials from the Turin Brick Block Building; assisting in the bidding analysis; and recommendation to the Board, seconded by Legislator Chartrand. Legislator Hathway questioned what the cost of

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these services would be. County Attorney Joan McNichol responded that the initial contract has a credit of approximately \$2,300.00 due to the fire happening before all the initial services could be rendered. Joan states that the total cost for assistance with the RFP process could be up to \$8,000.00 but the original resolution included \$7,000.00 for structural analysis which was never completed. The motion then carried.

Legislator Moroughan made a motion to spend up to \$5,000 to make social media videos about Mental Health issues with funding to come from the Community Services budget lines, seconded by Legislator Virkler and carried. Legislator Moroughan voiced her opinion that hopefully the videos can show regular people and not individuals with titles as the public can relate better to them.

Legislator Chartrand reported that the CNA and LPN recruitment process and new wage structure was put into place. What they do is really difficult work, and the hospital has had very little luck in holding CNAs and hopefully with these changes that will no longer be the case. Since the announcement of those changes, the hospital has received 28 applications, a total of 24 CNAs and 4 LPNs. This will help with the work life of CNAs and LPNs who have had more overtime and not been able to use benefit time.

The update on the Surgical Pavilion Capital Project is that on July 29th the hospital is meeting with NYS Public Health Counsel to review the Certificate of Need. The hospital has received Critical Access Designation retroactive back to July 2020 through 2023. There will be continued work on correcting the primary and secondary road definitions with Representative Elise Stefanik and other elected officials. The hospital approved entering into an agreement with Witt Kieffer for the recruitment of the Chief Operation Officer as Michelle Prince will be retiring in November 2021. There will be no hospital Board of Managers meeting in July or August.

COUNTY MANAGER REPORT:

Ryan Piche reported that the Solid Waste project is moving right along with the new road already cut in for a new traffic flow pattern. The foundation for the new building has been dug and the steel and concrete should be started this week, still on pace for an October completion date. There is a wooden bridge in the Town of Harrisburg that was being worked on when engineering consultants found major issues requiring the bridge to be closed. Highway Superintendent Timothy Hunt will provide a solution at the July Committee meetings.

All legislators should have received their 2020 Audit reports and once again we were issued an unmodified opinion, which is a clean bill of financial health. The Auditors will present their findings at the July Finance & Rules committee meeting. The NYSAC Fall Conference will be in Syracuse this year, September 13th through the 15th, anyone interested should reach out. The NYS Courts is done with using the Board room for Grand Jury so the configuration of tables will go back to the normal layout.

Legislator Chartrand questioned the location of the next meeting, Ryan responded that everything should be set with the broadband needs, the board just needs to set the month.

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Legislator Chartrand made a motion to move the September regular Board of Legislators meeting to the West Leyden Fire Hall, seconded by Legislator Hathway. Legislator Moroughan questioned if the public transportation bus could be utilized, and Ryan thought that would be a good idea. The motion was then carried.

COUNTY TREASURER REPORT:

Eric Virkler reported that the sales tax revenue continues to be strong, about 24% over last year, with a total of just over \$7,000,000 for the first 6 months of the year. The Health Insurance Fund Balance was decreased due to the recent employer holiday which was planned. The Audit report that was done is lengthy but review it in advance of the presentation and feel free to ask questions. Three Plus One will be here in August to give a report on how investing is going. The County received its first 50% share of the American Rescue Plan funds within a couple weeks of request and the other 50% will come in a year from now. The next step will be to document the need and then reporting the work to justify the funds. The Audit firm is hosting a webinar for Towns and Villages on their APR funding.

Legislator Kulzer questioned the amount that comes from the Health Insurance fund balance when the employer and employee get a premium holiday, Eric responded that the employer portion is close to \$1,000,000 and the employee portion is roughly \$250,000. He asked if there was another premium holiday planned for this year, Eric responded probably not because the balance is already closer to what it should be. Ryan stated that people who put off health care issues due to the pandemic might start addressing them which could cause claims to rise.

Legislator King questioned if there are restrictions on what the American Rescue Plan funds can be used for, Eric responded that there are some, but all our projects should fit and the justification for the funds will be losses through the hospital. Legislator King cited that the Towns have many more restrictions, Ryan agreed but felt the category Economic Development can be used to cover many things.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

To: The Honorable County Legislators

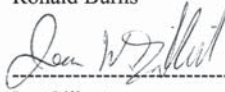
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,056,233.75 and recommend that they be audited and allowed for the amounts claimed.



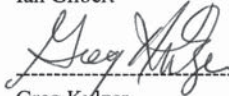
Thomas Osborne Chair



Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: July 6, 2021

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

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**RESOLUTION NO. 140 – 2021
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 \$ 1,056,233.75 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 Kulzer, and adopted on the 6th day of July, 2021 by the following roll call vote:

AYES: Gilbert, Moroughan, Virkler, Osborne, Hathway, King, Burns, Chartrand, Kulzer, and Dolhof.

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 141 - 2021
RESOLUTION AUTHORIZING MODIFICATION TO AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
FOURTH COAST INC-ST. LAWRENCE ENGINEERING DPC
FOR THE PUBLIC SAFETY BUILDING HVAC SYSTEM PROJECT**

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

WHEREAS, pursuant to Resolution No. 12-2021, the Board of Legislators authorized an agreement with Fourth Coast Inc.- St. Lawrence Engineering DPC (Fourth Coast) to provide professional engineering consultation services for a study and report phase of the PSB HVAC System Project, to include a review the BC&A report on the PSB Boiler and HVAC systems, review and evaluation of the system with options for boiler replacement, AC equipment replacement, and to provide a summary report and cost estimates for alternatives, as more fully set forth in their proposal letter dated July 30, 2020, at an anticipated cost not to exceed \$20,000.00. The proposal did not include fees for design, bidding documents and construction phase engineering/consultant work; and

WHEREAS, the committee authorized moving forward with Fourth Coast to provide professional engineering consultant services for preparation of boiler replacement bidding documents, design, bid and construction administration services for the HVAC (air handlers) phase of the project. Fourth Coast has provided a proposal to provide these additional services based upon hourly rates as set forth in Appendix 2 – Exhibit C of the Agreement executed for the

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boiler replacement design and report phase. The hourly rates range from \$40/hr for administration service to \$105/hr for principal professional engineer's time; and

WHEREAS, the Lewis County Board of Legislators wishes to accept these additional professional services for the second phase of the project and enter into a modification to the existing agreement for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves a modification to the Agreement between the County of Lewis and Fourth Coast Inc – St. Lawrence Engineering DPC, with offices at 745 Graves Street, Clayton, NY 13624, to provide additional professional services on the PSB boiler replacement and upgrades to the HVAC system, including bidding and oversight services on the boiler replacement phase; for design, bid and construction administration and oversight services on the upgrades required to the HVAC system phase, inclusive of the air handlers for airflow data and capacities, temperature controls, indoor air quality and purification, with potential alternatives.

Section 2. That the term of the agreement with these modification shall be extended through October 31, 2021, with the additional services to be paid based upon hourly rates set forth in the Agreement, not to exceed 10% of the final project costs, with monthly invoices containing detailed descriptions of the time and nature of the professional services provided.

Section 3. That the Chairman, Vice-Chairman of the Board of Legislators, or the County Manager 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 6th day of July, 2021.

**RESOLUTION NO. 142 - 2021
RESOLUTION AUTHORIZING WORK ORDER BETWEEN
THE COUNTY OF LEWIS AND TK ELEVATOR CORPORATION,
F/K/A THYSSENKRUPP ELEVATOR CORPORATION**

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

WHEREAS, the County of Lewis entered into a contract with ThyssenKrupp Elevator Corporation on December 19, 2019 pursuant to Resolution No. 507-2019 for the purpose of providing maintenance elevator equipment services for the four (4) elevators in the Lewis County Courthouse for the term beginning January 1, 2020 through December 31, 2023; and

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WHEREAS, In February, 2021, ThyssenKrupp Elevator Corporation changed their name to TK Elevator Corporation (“TKE”), providing the same services; and

WHEREAS, inspection of the elevators reveals the need to replace and install a new elevator door in old courthouse. TKE will furnish and install a new closed loop door operator and related equipment, such as clutches, restrictors, tracks and hangers will also be replaced. The new door operator will provide feedback during each cycle of the doors to the elevator control system to ensure proper door closure under varying conditions such as temperature, humidity, and wind to ensure consistent operation and eliminate slamming, slow closes, and unpleasant noise. TKE will also furnish and install a new electronic door edge on the elevator; and

WHEREAS, the Board of Legislators wishes to authorize such work order;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the Work Order with TK Elevator Corporation to replace and install a new elevator door in old courthouse at a cost of \$29,358.60. 50% (\$14,679.30) will be due and payable upon execution of Work Order and the remaining 50% (\$14,679.30) will be due and payable at the time the work commences.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Work Order, 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 6th day of July, 2021.

**RESOLUTION NO. 143 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE COUNTY CLERK**

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

WHEREAS, the current Deputy County Clerk has informed of her impending retirement; and

WHEREAS, there is no internal candidate identified with knowledge and experience of the operations in the County Clerk’s office; and

WHEREAS, training of replacement staff would benefit the department in its continued operations.

BE IT RESOLVED, as follows:

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Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the County Clerk:

<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy County Clerk	Temporary	Grade 5 (\$43,509-\$55,713)

Section 2. That the County Clerk is hereby authorized to fill said position effective July 7th 2021 through July 30th 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

**RESOLUTION NO. 144 – 2021
RESOLUTION TO APPOINT
HIGHWAY SUPERINTENDENT**

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

WHEREAS, the Lewis County Board of Legislators desires to rescind Resolution No. 284-2020, as the County Highway Superintendent term of appointment was incorrect;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby rescinds Resolution No. 284-2020 and the same shall be deemed null and void and no longer in effect.

Section 2. That the Lewis County Board of Legislators hereby appoints Timothy Hunt, of Lowville, New York, to accept the appointment as the Lewis County Highway Superintendent.

Section 3. That the term of said appointment shall have commenced November 16, 2020 and will terminate on November 16, 2024.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

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**RESOLUTION NO. 145 - 2021
RESOLUTION TO APPROPRIATE FUNDS
COUNTY MACHINERY**

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the County Machinery accounts for additional revenue received from surplus equipment sales:

<u>Increase Revenue:</u>	
DM513000 326650	\$204,500.00

<u>Increase Expense:</u>	
DM513000 223300 Machinery Vehicles	\$176,000.00
DM513000 440600 Machinery Tools	\$ 28,500.00

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

**RESOLUTION NO. 146 - 2021
RESOLUTION TO APPROPRIATE 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 appropriation is hereby approved in the County Road accounts for annual CHIPS program additional revenue:

<u>Increase Revenue:</u>	
D0501000 335011 CHIPS revenue	\$474,299.00

<u>Increase Expense:</u>	
D0501000 290900 Equip Purchase	\$400,851.00
D0550000 491520 Bridge Materials	\$ 95,000.00

<u>Decrease Expense:</u>	
D0515000 495150 Paving Materials	\$ 21,552.00

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

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Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

**RESOLUTION NO. 147 - 2021
RESOLUTION ADOPTING
COUNTY VEHICLE USE POLICY**

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

WHEREAS, Lewis County seeks to establish guidelines for the proper use, care and maintenance of all county vehicles assigned to any Lewis County employee; and

WHEREAS, the policy includes, among other things, that any vehicle owned by Lewis County will be used for official County business only. All vehicles shall be operated in accordance with all state vehicle and traffic laws; and

WHEREAS, the Board of Legislators wishes to accept and adopt said policy;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and adopts the attached as the COUNTY VEHICLE USE POLICY.

Section 2. That the Clerk of the Board is hereby directed to have this policy inserted into the County Employee Handbook, Administrative Manual, and to retain the policy in the Board of Legislators' Office. Copies are to be distributed to all Department Heads and any others the County Manager may deem appropriate.

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

Moved by Legislator King, seconded by Legislator Moroughan.

Legislator King questioned the \$3.00 per day IRS valuation rule, which he stated doesn't even cover the cost of running the vehicle for a day. Legislator Moroughan agreed and cited the cost of vehicle insurance and maintenance to the county for operating any vehicle would be over the \$3.00 limit. County Treasurer Eric Virkler explained that the \$3.00 per round trip was established by the IRS and this was considered an added fringe benefit for the employee driving the vehicle which they would have to report at the end of the year.

Legislator King had concerns that the employee could use the vehicle, if taken home, for personal use. Legislator Dolhof stated that the policy sets clear guidelines, and an employee would have to follow those in addition to meeting the qualifications to even have permission to take the vehicle home. County Manager Ryan Piche clarified that there are only 7 employees who are eligible on a daily basis to take a county owned vehicle home, everyone else would have

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to submit a request each and every time they require a take home vehicle, which requires certain approval.

Legislator Chartrand pointed out that there are three options in this policy for valuation of a take home vehicle on employees, not just the \$3.00 per round trip, one of them being the cents per mile valuation rule. Legislator Kulzer stated that the mileage rate can be used but it doesn't stop an employee from using the vehicle for personal use, citing his own knowledge of company owned vehicles that were utilized by employees and used for personal reasons as well as business and their benefit at the end of the year was significant.

The resolution was then adopted on the 6th day of July, 2021. Legislator Hathway was opposed.

Lewis County Vehicle Use Policy

It is the purpose of this document to define the general policy of the County of Lewis regarding the assignment, control, proper use and maintenance of County owned vehicles and equipment that are driven by employees. The intent of this document is to notify each operator of the responsibilities that are inherent with the assignment of vehicles and equipment for their use.

- COUNTY VEHICLES -

When travel is required of County employees, County vehicles should be utilized to the maximum extent possible; use of personal vehicles is to be limited to those times when County vehicles are not available.

County vehicles, of course, are not to be used for personal purposes. County vehicles permanently assigned must be done by the Lewis County Legislature.

Records of each use of the County vehicle must be maintained by each Department. Each department which has County vehicles assigned to it is responsible for their use and care, scheduling proper maintenance in accordance with the Enterprise Lease Agreement.

Unless specific authorization is made to the contrary, all County vehicles are to be parked overnight on Lewis County property. Specific authorization for overnight parking should be approved by the Department Head.

All County vehicles will have a WEX card for purchase of fuel. County employees will be issued a PIN to use the WEX card. Use of personal funds for fuel should be limited and occur only in case of emergency. All requests for travel reimbursements are required to be submitted within thirty (30) days after the expense is incurred.

- VEHICLE USE -

I. Motor Vehicle Assignment

A. Rules - Assignments of vehicles will be made by the County Manager and Department Head in accordance with this policy.

1. Any County employee desiring to use a County-owned vehicle for transportation to or from his/her residence must demonstrate a genuine governmental need in a written request to his/her Department Head for such use for County Manager approval. In the event a County employee does not prepare such a request, and if the Department Head is of the opinion that such a request shall be made, the Department Head is authorized to initiate such request in lieu of the request from the County employee.

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2. Such employee's Department Head must certify such request as being accurate and approve the same or deny such request.
 3. All requests approved by the Department Head must be forwarded to the County Manager for final approval. Violations of vehicle assignments may lead to disciplinary action up to and including suspension and termination.
 4. The County Manager may disapprove any request if he/she determines that such request is not sufficiently justified.
 5. No County-owned vehicle shall be assigned to a County employee for use between work and such employee's residence unless such employee has complied with and received the approval as required herein.
 6. Every County vehicle shall be accounted for by license plate, County employee responsible and reason for its use.
 7. All County vehicles shall be maintained in a designated area when such vehicles are not in use by County employees.
- B. Procedure - Assignments will be designated as one of the following types by the County Manager based on the recommendation of each Department Head:
1. Twenty-Four Hour Use Assignment - Authorizes an individual employee to utilize a vehicle for all legitimate County purposes. All other restrictions set forth in the policy apply to users in this assignment category. Vehicles may only be assigned for 24 hour use when the employee and vehicle meet one or more of the following requirements:
 - i. The employee's job requires that he/she be on a 24 hour crisis call; or
 - ii. The employee is only able to respond to the crisis with the use of a specially equipped County vehicle.
 - iii. Assignments in this category are designated to: Sheriff, Undersheriff, Director of Emergency Management, Highway Superintendent, Deputy Highway Superintendent
 2. Commuter Use Assignment - Authorizes an individual employee to utilize a vehicle for County business and conveyance between his/her home and work site. An individual holding this assignment may not transport personal guests in this vehicle. Short, necessary stops for personal business may be made provided that they lie between work sites or work site and his/her residence. Vehicles will be considered for assignment for commuter use when the employee and the vehicle meet one or more of the following requirements:
 - i. Frequent attendance at a business function for the County outside of normal working hours where compensatory time off is not granted or overtime is not paid; or
 - ii. Frequent "call-ins" to respond to emergency situations based on the technical skills or supervisory status of the employee; or
 - iii. Vehicle carries radio and other specialized equipment frequently needed to respond to emergencies; or

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- iv. Frequent beginning and ending of work at different sites other than one specific location where the supervisor can document significant benefits to the County.
- v. Assignments in this category are designated to: Deputy Sheriff
Investigators, Caseworkers

NOTE: Internal Revenue Service (IRS) regulations stipulate that (in nearly all cases), the commuting and any other allowable personal use of a county-owned vehicle, is a taxable fringe benefit. Benefited employees are considered to have received noncash compensation for their personal use of vehicles classified as 24-hour use and/or commuter use vehicles. Compensation is computed by the County Treasurer who interprets and enforces the IRS regulations. Employees who have been assigned vehicles requiring taxable value consideration must submit a taxable benefit worksheet semi-annually to the County Treasurer's Office. Questions regarding the taxable fringe benefit issue should be brought to the Treasurer's attention.

3. Departmental Pool Assignment - Authorizes any one group of employees within a department or agency to use the vehicle during working hours and for County business. An individual holding this assignment may make short, necessary stops for personal business provided they lay enroute between work sites. The vehicle will not be used for commuting purposes.

The assignment of vehicles to an individual employee for 24-hour or commuter use shall be as follows:

1. The Department Head shall not permit an employee to operate a County vehicle until that employee has:
 - Been provided with a copy of the Motor Vehicle Rules and Regulations;
 - Acknowledged in writing that he/she has received and read the Lewis County Vehicle Use Policy;
 - Acknowledged in writing the assignment designation which he/she has received by the County Manager.

II. Motor Vehicle Use

A. Rules

1. Department heads are responsible to ensure that their employees operate County vehicles in a proper, courteous, and safe manner.
 - i. Wear seat belt at all times
 - ii. Always use signal lights
 - iii. Obey speed limits and all traffic signs and lights
2. Employees using County vehicles are expected to drive and maintain vehicles in a safe, alert, and courteous manner.
3. Employees using County vehicles in emergency situations should follow standard EVOC operating guidelines.
4. County vehicles are to be used on County business only, and to the limitation of the individual's prior prescribed assignment.
5. All department vehicle operating rules shall apply.

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Any employee using a vehicle on personal business outside the scope of his/her assignment, will be subject to disciplinary action.

B. Regulations

1. County vehicles will be used to transport clients, County and municipal employees and materials on official County business only. It shall not be used to transport family members (i.e., spouse to work or children to day care, etc.).
2. No person who operates a County vehicle shall use tobacco or marijuana products, while operating a County vehicle.
3. No person who operates a County vehicle shall drink alcoholic beverages or be under the influence of alcoholic beverages before or while operating a County vehicle.
4. No person who operates a County vehicle shall use or be under the influence of controlled substances while operating a County vehicle.
5. Persons using prescribed or over the counter drugs that may affect their driving ability shall not drive County vehicles.
6. The use of headphones that impairs normal hearing for the safe operation of a vehicle is strictly prohibited.
7. All County employees assigned vehicles on a 24 hour or commuter use basis are responsible for parking in a safe and secure location overnight.
8. It is the responsibility of the County employee who has been assigned a county vehicle to keep the inside of said vehicle clean at all times and the County employee must thoroughly check the inside of the vehicle prior to returning it
9. Should an employee who is assigned a County vehicle on a 24 hour or commuter use basis be on annual leave, sick leave, or military leave of more than two (2) days, the vehicle shall be left at the place of work or at the appropriate garage for the period he/she is on leave or assigned to the person fulfilling the employee's duties.
10. An operator of a County vehicle shall not leave it unattended without stopping the engine, setting the brake, locking the ignition, removing the keys, and locking the doors. During an emergent situation, employees should follow EVOG guidance.
11. All persons who drive County vehicles must have a valid New York State Driver's License that allows them to operate the vehicle they are using. All County employees must immediately report any changes in their driver's license status to their Department Head. In addition, annual review of employees' DMV records may be performed and if points are disclosed, the employee may be required to attend remedial classes. If at any time any employee's New York State driving privileges are suspended and/or revoked, for any period, that employee shall be immediately suspended from driving any vehicle, county owned or otherwise, for county purposes until such time as the employee's New York State driving privileges are fully restored, without conditions and/or limitations. A change in license would include a suspended or revoked license.
12. A person operating a County vehicle is responsible for compliance with the Vehicle and Traffic Laws of the jurisdiction the vehicle is being operated and for

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the satisfaction of all moving and parking violations. Any tickets or fines incurred will be paid by the operator using the vehicle at the time of the infractions. Should the employee be charged with any violations, or if property damage or injury has occurred, the employee shall contact the Department Head immediately, so steps can be taken to ensure proper representation of the employee at any hearing held as a result of such charges. In such cases, the employee shall make no statements or admissions prior to consultation with the County Attorney and remain polite and cordial.

C. Accident Reporting

1. An Incident/Accident report form must be filed for all accidents involving County vehicles regardless of seriousness or fault. The Department Head shall be notified in such event as to the nature of the accident and the extent of the damage.
2. If an accident occurs while the employee is using a County vehicle outside of the scope of his/her vehicle assignment designation in violation of any of the rules and regulations set forth in the Motor Vehicle Rules and Regulations, such employee may be personally liable for any damage to property or injury to any person occurring as a result of such use of the vehicle.
3. Should the County of Lewis be obligated to make any payments as a result of an employee misconduct accident or be made a party to any lawsuit as a result of such accident, the employee may be required to indemnify the County of Lewis for any payment the County will be obligated to make as a result of such accident, and such employee may be made a party to any lawsuit resulting from such accident.
4. Safety precautions that must be adhered to include, but are not limited to the following:
 - i. Seatbelts must be used when the vehicle is in operation.
 - ii. When it is necessary to work from the vehicle while stopped in traffic, all flashers, dome lights, beacon lights and other warning devices must be used.
 - iii. When a County vehicle is being used in a way that is not normal, i.e., while plowing snow, spreading salt, etc., all flashers, beacon lights and other warning devices must be used.
 - iv. No radar detection devices shall be used in or on a County vehicle.
 - v. No key should be left in the ignition of the vehicle.
5. Operating instructions include the following:
 - i. In the event of vehicle breakdowns, the driver should contact their Department Head and follow the instructions in the Enterprise Roadside Assistance folder in the vehicle. As the leasing company, Enterprise must provide prior approval for any repairs, towing or roadside assistance.
 - ii. All operators will fill the vehicle with fuel whenever the tank is $\frac{1}{2}$ full or less.
 - iii. Vehicle will be parked in a safe and proper manner.

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- iv. Reckless use, deliberate abuse or sabotage of County vehicles or equipment is prohibited, and will subject the operator to disciplinary action

III. Vehicle Documentation

- A. No employee shall operate a County vehicle unless it contains all required vehicle documentation.
- B. Each County vehicle shall contain the following documentation:
 - 1. Vehicle registration form;
 - 2. Insurance card;
 - 3. Blank report of Motor Vehicle Accident form (New York State MV-104 form);
 - 4. Accident, breakdown and emergency instructions.
- C. If any of the above documents are not in the county vehicle, this should be immediately brought to the attention of the Department Head.

IV. Use of Cell Phone While Operating Motor Vehicle

- A. The County expects the user to the assigned vehicle to pull to the side of the road for cell phone usage while acting in furtherance of their duties as an employee of the County.
- B. New York's Vehicle and Traffic Law Section 1225-c prohibits the use of a cell phone while driving except in emergency situations or when the driver utilizes a hands-free device.
- C. All County employees who use cell phones, whether municipally owned or not, must comply with any and all State laws regulating the use of cell phones while operating a motor vehicle.
- D. If it is learned that an employee misused the cell phone in violation of State law, discipline may follow.
- E. County employees will be held to a standard regarding the use of the cell phone that respects the State law as it currently stands or is implemented in the future.

V. Taxable Value Regulations

The Internal Revenue Service requires the County to include in an employee's gross income the value of a County-provided vehicle unless certain requirements can be satisfied. One of the exceptions is based on the type of vehicle. Use of a vehicle may be excluded if a vehicle, "by reason of its nature or design, is not likely to be used more than a de minimis amount for personal purposes". The IRS provides a well-defined list.

Excepted are:

Clearly Marked Police or Fire Vehicles

A police or fire vehicle is a vehicle, owned or leased by a governmental unit, or any agency or instrumentality thereof, that is required to be used for commuting by a police officer or emergency responder who, when not on a regular shift, is on call at all times, provided that any personal use (other than commuting) of the vehicle outside the limit of the police officer's arrest powers or the emergency responders obligation to respond to an emergency is prohibited by such governmental unit. A police or fire vehicle is clearly marked, if through painted insignia or words, it is readily apparent that the vehicle is a police or fire vehicle. A marking on a license plate is not a clear marking for purposes of this paragraph.

Unmarked Law Enforcement Vehicles

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The substantiation requirements of Section 274(d) and this Section do not apply to officially authorized uses of an unmarked vehicle by a "law enforcement officer". To qualify for this exception, any personal use must be authorized by the Federal, State, County, or local governmental agency or department that owns or leases the vehicle and employs the officer, and must be incident to law enforcement functions, such as being able to report directly from home to a stakeout or surveillance site, or to an emergency situation. Use of an unmarked vehicle for vacation or recreation trips cannot qualify as an authorized use.

Lewis County Tax Valuation

A. Rules

Using these IRS rules, vehicles assigned to the following positions, if used in accordance with IRS regulations and the County rule covering their assignment, will be considered exempt from tax consideration.

1. Law Enforcement Investigators
2. Emergency Management Director

All other employees who have been assigned a vehicle in the "24 hour or commuter use" category must have the taxable value added to the employee's gross earnings. The IRS provides three (3) options in addressing valuation and taxation of employee provided vehicles.

1. Auto Lease Valuation Rule: Affects only "Contract Employees." For municipal purposes, IRS defines "Elected Officials" as control employees. Calculation is based on an IRS "Lease Value Table".
2. Cents Per Mile Valuation Rule: Calculation is based on the IRS standard mileage rate for all personal miles (including commuting miles) driven.
3. Commuting Valuation Rule: The value of commuting use is \$3.00 per round trip commuter.

B. Procedure

The County desires to provide the fairest tax option available to employees in accordance with the existing law, and therefore, has adopted the following valuation policy:

1. Auto Lease Valuation Rule: Applies only to control employees (elected officials).
2. Cents per Mile Valuation Rule: Applies to employees who travel an average of 10 miles or less for round trip commutes.
3. Commuting Valuation Rule: Applies to employees who travel more than an average of 10 miles per round trip commutes.

Employees who have been assigned vehicles requiring taxable value consideration must submit a taxable benefit worksheet semi-annually to the County Treasurer's Office.

APPENDIX A

24 Hour Use Assignment* (License Plate Number)

Sheriff

Undersheriff

Emergency Management Director

Highway Superintendent

Deputy Highway Superintendent

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Commuter Use Assignment*

Investigators

Note: Investigators assigned to be "on call" shall be considered as if they had a 24 hour use assignment/or the time they are actually "on call".

Departmental Pool Assignment -All vehicles not listed above

*This assignment list may only be changed by the County Manager.

DRIVER DISQUALIFICATION GUIDELINES

The following will result in immediate disqualification of a candidate for hire or employee being considered for promotion/transfer for a position which requires the incumbent to drive a County vehicle as an essential function of the position:

- DWI or driving while ability impaired, alcohol and/or drugs (DWAI) or any similar offense in any neighboring state; ex. DUI, within the three (3) year period preceding the date of application for hire, promotion, or transfer
- Driving under the influence of a controlled substance within the three (3) year period preceding the date of application for hire, promotion or transfer
- Three (3) or more traffic violations or infractions (excluding parking) in the three (3) year period preceding the date of application for hire, promotion or transfer

An employee may be disqualified from operating a county vehicle for a period of time at the discretion of the County Manager for any of the following. Additionally, any employee may be subject to disciplinary action up to and including termination and criminal prosecution.

- Driving while impaired (DWI)
- Driving while ability impaired, alcohol and/or drugs (DWAI) or any similar offense in any neighboring state; ex. DUI
- Driving while under the influence of a controlled substance
- Suspension, revocation, cancellation or conditional status of driver's license
- Homicide by vehicle, including, but not limited to negligent homicide or involuntary manslaughter
- Driving without a license or while license suspended or revoked
- Hit and run
- Failure to notify the County of a conditional, suspended, revoked or cancelled license by the end of the business day following the notification
- If at any time any employee's New York State driving privileges are suspended and/or revoked, for any period of time, that employee shall be immediately suspended from driving any vehicle, county owned or otherwise, for county purposes until such time as the employee's New York State driving privileges are fully restored, without conditions and/or limitations.

Adopted by BOL on July 6, 2021

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**RESOLUTION NO. 148 - 2021
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 budget transfer is hereby approved in the Information Technology accounts to supplement the Capital Data Processing reserve and provide funds for the ongoing server replacement project:

Transfer from:

A0 005990 Fund balance	\$115,000.00
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Transfer to:

H0990100 353310 Interfund Revenue, Project HAE	\$100,000.00
A0168000 221700 IT computers	\$ 10,000.00
A0168000 490100 IT Prof services	\$ 5,000.00

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

**RESOLUTION NO. 149 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND C&S COMPANIES CONSULTING SERVICES INC.
TO PROVIDE PROFESSIONAL ARCHITECTURAL AND ENGINEERING DESIGN
AND CONSTRUCTION SUPPORT SERVICES FOR THE LEWIS COUNTY 2022
FACILITIES IMPROVEMENT PROJECT**

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

WHEREAS, the Lewis County Board of Legislators, with various participants from county departments and other interested parties, have invested considerable time in review of all county facilities; their conditions, uses, and upgrade needs both structurally and for maximum efficiencies; and

WHEREAS, the Board contracted with C&S Engineers for preliminary concept designs. The Board has reviewed the preliminary professional concept designs and costs proffered by C&S and seeks to engage C&S for professional design and construction support services for the following facilities improvement projects:

1. Adaptive re-use of the existing highway garage.
2. New Highway Garage, Cold Storage & Vehicle Wash Building.

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3. Renovation to the DSS Building, including exterior building envelope roof, walls, flooring, ceiling, HVAC, plumbing & electrical, lighting system replacement and potential addition.

4. New Building and Grounds work shop/board of elections storage building (at DSS campus); and

WHEREAS, C&S has provided the Board with a proposed scope of services and fee schedule for such professional design and construction support services for this project at a cost of \$1,470,540.00 as follows:

Design Development - \$361,040

Bid Phase - \$79,250 (including but not limited to bidding and procurement services for four (4) separate prime contracts)

Contract Documents - \$713,250

Construction Administration - \$317,000

WHEREAS, upon the recommendation of the General Services Committee, the Board of Legislators seeks to accept this proposal and authorize an agreement with C&S for professional architectural/engineering services for design and construction assistance services as outlined in its proposal presented at the June 22, 2021 Special Board meeting;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with C& S Companies, 499 Col. Eileen Collins Blvd, Syracuse, NY 13212, to provide professional architectural/engineering design and construction support services as outlined in the proposal presented June 22, 2021, at a cost \$1,470,540.00.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include provisions for C&S to provide periodic updates to the Board, and with a proposed schedule of services commencing July 7, 2021 through May 31, 2023.

Section 3. That the Lewis County Board of Legislators directs the Treasurer to transfer of \$1,175,000.00 from General Fund Balance to HAR reserve.

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 review and approval by the County Attorney.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

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**RESOLUTION NO. 150 - 2021
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING DEPARTMENT**

Introduced by Legislator Andrea Moroughan, Chair of the Health & 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 accounts for additional revenue from the American Recovery Act:

Increase Revenue:

A0677200 347720 OFA Federal III B	\$54,109.00
A0677200 347730 OFA Federal III C-1	\$32,374.00
A0677200 347740 OFA Federal III C-2	\$53,802.00
A0677200 347703 OFA Federal IIID	\$ 6,004.00
A0677200 347775 OFA IIIE	\$22,124.00

Increase Expense:

A0677200 490900 OFA Misc	\$54,109.00
A0677200 491100 OFA Nutrition	\$32,374.00
A0677200 491100 OFA Nutrition	\$53,802.00
A0677200 495900 PS EPB	\$ 6,004.00
A0677200 491300 Respite	\$22,124.00

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

**RESOLUTION NO. 151 - 2021
RESOLUTION TO ACCEPT GRANT AND APPROPRIATE FUNDS
PLANNING DEPARTMENT**

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

WHEREAS, pursuant to Resolution Nos. 44-2021 and 104-2021, the Lewis County Board of Legislators authorized applications and agreements for NYS grant funds awarded for 1) \$50,000.00 in a countywide Housing Needs Assessment and Market Analysis under 2020 CDBG Community Planning; and 2) \$85,000.00 from NYS EFC to reimburse qualified property owners up to 50% of eligible costs of septic system projects; and

WHEREAS the Planning Department has been awarded the grants and requests the budget appropriations for same;

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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following budget appropriations be approved in the Planning Department to accept the specified NYS grants funds and authorize the revenue and expense amounts for these two separate programs, i.e., 2020 CDBG Community Planning funds for a Housing Needs assessment, and NYS EFC Septic System Replacement Funds.

Increase Revenue:

A0802000 339019 CDBG Housing Assessment	\$50,000.00
A0802000 339020 NYS Septic Replacement Funds	\$85,000.00

Increase Expense:

A0802000 495019 CDBG Housing Assessment exp	\$50,000.00
A0802000 495020 NYS Septic replacement exp	\$85,000.00

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

**RESOLUTION NO. 152 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND CAMOIN 310 LTD TO PROVIDE ECONOMIC
DEVELOPMENT CONSULTING SERVICES PERTAINING TO THE IMPACT OF
UTV/ATV ACTIVITY IN THE COUNTY AND REGION**

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

WHEREAS, the Industrial Development Agency of Lewis County (IDA) partnered with Jefferson Community College (JCC) to create and complete a Lewis County snowmobile survey and report as part of the IDA's efforts to market and brand Lewis County for tourism and outdoor adventures and activities; and

WHEREAS, the County is interested in having JCC create a similar survey of UTV/ATV activity and users for Lewis County. JCC has agreed to create and complete this survey for the County at no cost; and

WHEREAS, the County seeks to engage the economic development consulting services of Camoin 310 Ltd. (Camoin Associates) to study the survey and analyze the impact of UTV/ATV participation and activity in the county and region in order to calculate the economic and fiscal impacts on the County, including the direct and indirect tax revenues, property tax revenues reliant upon UTV/ATV activity, and income tax revenue stream from the activity; and

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WHEREAS, Camoin Associates has been providing economic development consulting services to municipalities since 1999, and has agreed to provide these services to Lewis County as more fully outlined in their proposal dated May 12, 2021, at a fixed fee of \$10,000.00, inclusive of an analysis of the property tax from second homeowners; and

WHEREAS, the General Services Committee recommends to the full Board of Legislators that the County commit these funds (from the Planning Department's Community Development Fund account line) and enter into an agreement with Camoin 310 LTD (Camoin Associates) to provide the County with expertise in analyzing, measuring and reporting on the economic and fiscal impacts of the UTV/ATV activity in Lewis County and neighboring region based upon a survey to be created and completed by JCC;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an agreement with Camoin 310 Ltd (Camoin Associates), of Saratoga Springs, NY, to provide economic development consulting services to the County in analyzing the data and information obtained from the JCC survey results on UTV/ATV activity in Lewis County and the neighboring region, culminating in a report on the economic and fiscal impacts of UTV/ATV activity as set forth in its proposal and scope of work dated May 12, 2021, at a cost of \$10,000.00.

Section 2. That the Lewis County Board of Legislators directs that the \$10,000.00 payment be taken from the Lewis County Planning Department's Community Development Fund account line.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, 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 6th day of July, 2021.

**RESOLUTION NO. 153 - 2021
RESOLUTION AWARDDING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND SNORAC, LLC, D/B/A COMMUTE WITH
ENTERPRISE TO PROVIDE COMMUTER VANPOOL SERVICES**

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

WHEREAS, the Lewis County Department of Planning and Community Development recently sent out a Request for Proposals for a public vanpool program through a contracted vanpool provider; and

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WHEREAS, the program will be a pilot program and will be evaluated on an annual basis. The public vanpool program is one mode of public transportation being implemented as part of a broader goal of improving public transportation in Lewis County; and

WHEREAS, a vanpool is typically a group of 7 to 15 individuals who share their commute to work within the same geographic area. The vanpool driver is a volunteer from within the group using the van for transportation to and from work and shall not be paid a wage for driving. All vanpools must be open to the public subject to space permitting and availability; and

WHEREAS, the Director of Planning and Community Development, the County Attorney and Clerk of the Board convened on June 10, 2021 at 2:00 pm to open any bids received; and

WHEREAS, after review and consideration of the proposal received, the Director of Planning and Community Development recommends awarding the bid to SNORAC, LLC, d/b/a Commute with Enterprise, the sole bidder, in accordance with the specifications and scope of work set forth in the RFP; and

WHEREAS, the Lewis County Board of Legislators seeks to award the bid to SNORAC, LLC, d/b/a Commute with Enterprise and to 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 SNORAC, LLC, d/b/a Commute with Enterprise, with offices at 245 Buell Road, Rochester, New York 14624 to provide vehicles for the County’s public vanpool pilot program, 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 any additional terms and conditions recommended by the County Attorney, for the period on or about July 7, 2021 through December 31, 2022, at the monthly costs submitted based on vehicle size and mileage listed below. The County would be responsible for the greater portion of the cost through CARES ACT funding, with the balance payable through rider fees, employer assistance and potential NYS/FTA operating grant assistance.

MONTHLY MILEAGE	7-PASSENGER VEHICLE	8-PASSENGER VEHICLE	12-PASSENGER VEHICLE	15-PASSENGER VEHICLE
500	\$1,250	\$1,400	\$1,450	\$1,500
750	\$1,250	\$1,400	\$1,450	\$1,500
1,000	\$1,250	\$1,400	\$1,450	\$1,500
1,250	\$1,250	\$1,400	\$1,450	\$1,500
1,500	\$1,250	\$1,400	\$1,450	\$1,500

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1,750	\$1,250	\$1,400	\$1,450	\$1,500
2,000	\$1,250	\$1,400	\$1,450	\$1,500
2,250	\$1,350	\$1,500	\$1,550	\$1,600
2,500	\$1,350	\$1,500	\$1,550	\$1,600
2,750	\$1,450	\$1,600	\$1,650	\$1,700
3,000	\$1,450	\$1,600	\$1,650	\$1,700
3,250	\$1,550	\$1,700	\$1,750	\$1,800
3,500	\$1,550	\$1,700	\$1,750	\$1,800
3,750	\$1,650	\$1,800	\$1,850	\$1,900
4,000	\$1,650	\$1,800	\$1,850	\$1,900

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon review and 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 6th day of July, 2021.

RESOLUTION NO. 154 - 2021
RESOLUTION DETERMINING CDBG PROJECT GRANT NO. 636CP77-20
CONSTITUTES A TYPE II ACTION UNDER SEQRA WITH NO SIGNIFICANT
ENVIRONMENTAL IMPACT UPON THE ENVIRONMENT

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

WHEREAS, the County of Lewis applied for Community Development Block Grant ("CDBG") funds to finance a Housing Needs Assessment and Market Analysis; and

WHEREAS, the County of Lewis was awarded \$50,000.00 in Community Block Grant funds to complete a county-wide Housing Needs Assessment and Market Analysis (Project No. 636CP77-20); and

WHEREAS, CDBG environmental regulations require that the County make a determination as to whether the project will have a significant impact upon the environment; and

WHEREAS, the Director of Planning, designated as the certifying officer responsible for all activities associated with the CDBG project, reviewed the environmental review process outlined under the Grant regulations and considers the program to constitute a Type II action as defined by the regulations. The Director recommends that the Board conclude that the project will not have a significant environmental impact, and that as a Type II action, no further procedure under SEQRA is required;

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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby determines that the Lewis County CDBG Housing Needs Assessment and Market Analysis (Project No. 636CP77-20) 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, that the project will not have a significant impact upon the environment, and that there is no further procedure required under SEQRA.

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 6th day of July, 2021.

**RESOLUTION NO. 155 - 2021
RESOLUTION AUTHORIZING RENEWAL AGREEMENT
BETWEEN LEWIS COUNTY PROBATION DEPARTMENT AND
AUTOMON, LLC FOR SOFTWARE MAINTENANCE**

Introduced by Legislator Jerry King, Chair 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 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, 2021 for twelve (12) consecutive months expiring August 13, 2022, and may be extended by mutual written

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agreement of the parties. The cost for the Maintenance and Support Fee is \$5,921.75 (\$4,805.74 base plus \$235.34 for each of the six [6] actual or registered users, a total of \$6,217.79 with a 2021 Covid Discount of \$296.05 applied) 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 Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

**RESOLUTION NO. 156 - 2021
RESOLUTION TO AMEND HEALTH RESEARCH, INC. / NEW YORK STATE
DEPARTMENT OF HEALTH AGREEMENT WITH
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND APPROPRIATE ADDITIONAL FUNDS**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, Health Research Inc. / New York State Department of Health (HRI/NYSDOH) will be awarding additional funding totaling \$32,850,000 to local health departments for enhanced detection expansion of COVID-19 surveillance and prevention. This award is funded 100% by a CDC sponsored cooperative agreement for Epidemiology and Laboratory Capacity for Infectious Diseases; and

WHEREAS, the County of Lewis, by and through the Lewis County Public Health Department, entered into an agreement with HRI/NYSDOH on July 31, 2020 with the original contract award of \$1,200,945.00, with the County receiving \$200,945.00 for the term July 1, 2020 through June 30, 2022; and

WHEREAS, Public Health has been notified that its department will receive an additional \$267,748.00 in award funds (\$50,000.00 of which is school-based funding), with the term of the agreement extended through March 31, 2023. The new total amount for this contract is now \$1,468,693.00; and

WHEREAS, these additional funds will allow expansion of the current contract deliverables to enhance efforts for case investigations, contact tracing, enhanced testing, and vaccination activities across communities, schools, childcare programs and other vulnerable populations (e.g., congregate living settings, homeless shelters, etc.). Funding may be used for vaccination planning and POD related activities that are not covered by other federal funding sources such as the State Immunization Action Plan program;

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WHEREAS, the Board of Legislators wishes to authorize an 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 Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency and Health Research Inc. / New York State Department of Health to extend the term date from June 30, 2022 to March 31, 2023 and accept the additional award funds of \$267,748.00 (\$50,000.00 of which is school-based funding).

Section 2. That the following budget appropriation is hereby approved in the Lewis County Public Health Department to accept the additional grant funds and authorize the revenue and expense amounts for enhanced detection expansion of COVID-19 surveillance and prevention:

Increase Revenue:

A0409200 344895 PHEP HRI Revenue	\$267,748.00
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Increase Expense:

A0409200 490900 PHEP Miscellaneous	\$267,748.00
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Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, and any additional documents required to give effect to this Resolution, upon review and 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 6th day of July, 2021.

**RESOLUTION NO. 157 - 2021
RESOLUTION AUTHORIZING NYS CONSOLIDATED FUNDING GRANT
APPLICATION BY DEPARTMENT OF RECREATION, FORESTRY & PARKS**

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

WHEREAS, the County of Lewis (“County”), by and through the Recreation, Forestry and Parks Department (“RFPD”) desires to submit a grant application under the New York State Consolidated Funding Application (“CFA”) to purchase a 70 hp tractor with implements and for development of seven (7) new additional miles to the ATV Trail System in the Town of Greig; and

WHEREAS, the Recreational Trails Program offers up to \$1.9 million in matching grants for the acquisition, development, rehabilitation and maintenance of trails and trail-related

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projects. Funds are available to non-profit corporations and municipalities. The minimum grant award for restoration, development and property acquisition projects is \$25,000. The minimum equipment purchase award is \$5,000. All grant awards are capped at \$250,000.

WHEREAS, the Director of RFPD seeks to apply for a grant for trail equipment, trail maintenance and development of trails in the Town of Greig, which will improve the County trail system and add to the County's recreational tourism attractions, thereby enhancing the local economy;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above referenced grant application and authorizes the Director of Recreation, Forestry and Parks to complete, execute and submit said application upon review by the County Attorney.

Section 2. That the Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to execute, seal and deliver any documents, writings and agreements to effectuate the intent of this Resolution, and to take all steps necessary to advance this project, upon review and 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 Burns , seconded by Legislator Kulzer , and adopted on the 6th day of July, 2021.

RESOLUTION NO. 158 – 2021
RESOLUTION AUTHORIZING AGREEMENT WITH
FRONTIER COMMUNICATIONS OF AMERICA, INC.
FOR EMERGENCY 911 PHONE UPGRADE & MAINTENANCE SYSTEM

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

WHEREAS, the County of Lewis, by and through the Lewis County Sheriff's Department and 911 Emergency Operations Unit, entered into agreements with Frontier Communications of America, Inc. ("Frontier), to provide licenses on enumerated equipment and continuing maintenance service and support for the E911 Phone system. The maintenance service agreement expired on June 1, 2021, with Frontier agreeing to continue maintenance support service pursuant to this proposal; and

WHEREAS, the system requires a refresh in the Primary and Backup Centers, with replacement of all parts of the Motorola Airbus Vesta System. This replacement/upgrade is another part of the 5-7 year plan for refreshing 911 equipment in order to keep the system up to date and in maximum working order. The current Vesta System is all original equipment from 2014, operating on a Windows 7 platform and becoming obsolete due to technology upgrades and Nextgen 911 requirements; and

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WHEREAS, Frontier has submitted a 5-year upgrade and maintenance proposal for both the Frontier and Motorola E911 Phone system at a cost of \$397,434.16, with the upgrades to be installed commencing in or about January, 2022, and with maintenance continuing from June 1, 2021; and

WHEREAS, the approval of this 5 year agreement will save the County \$21,000 for 6 months of maintenance for the balance of 2021 and \$38,000 by upfront payment of maintenance for the 5 yr plan; and

WHEREAS, the cost of the 5-yr proposal will be payable from 2020 and 2021 PSAP grants, 911 surcharge funding and, if necessary, the 911 surplus surcharge reserve fund; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a five (5) year 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 refresh upgrades and maintenance and support services for the current Emergency 911 telephone system in the Primary and Backup Centers, replacing all parts of the Motorola Airbus Vesta System.

Section 2. That the term of this agreement shall be from July 1, 2021 through December 31, 2026, at a cost not to exceed \$397,434.16, payable in installments in 2021 and 2022, as the parties may agree.

Section 3. That the installment payments made in 2020 and 2021 will be paid from the E911 2020 and 2021 PSAP grants, 911 surcharge funding, and, if necessary, from the 911 surplus surcharge reserve fund.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, and any non-monetary increase amendments, 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 6th day of July, 2021.

**RESOLUTION NO. 159 - 2021
RESOLUTION AUTHORIZING A ONE-YEAR AGREEMENT WITH HARRISVILLE
CENTRAL SCHOOL DISTRICT AND THE COUNTY OF LEWIS TO PROVIDE
A SCHOOL RESOURCE OFFICER DURING THE 2021/2022 SCHOOL YEAR**

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

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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 County Deputy Sheriff as a School Resource Officer (SRO) during the school term ending June 30, 2019. The agreement was extended for two (2) additional school year periods, i.e., for 2019/2020 for payment of \$59,200 and for 2020/2021 for payment of \$60,680; and

WHEREAS, the HCSD requests another year of SRO services by a Deputy Sheriff for the 2021/2022 school term (September, 2021 through June, 2022); and

WHEREAS, the Lewis County Board of Legislators has considered the expectations of trail patrol by the SROs when not engaged at the school, and has considered the following:

Deputy Sheriff annual base hours -	2080
Less School days/hours (180/1440 hrs)	<u>-1440</u>
Available County Hours	640
Less 5 weeks/200 hrs vac, pers, sick, etc.	<u>200</u>
Net time available for Rec Patrol	440 hrs (11 weeks)

In addition, the 2020 data reveals that the Harrisville SRO had approximately 333 available hours for Deputy Sheriff recreational trail enforcement. The Deputy provided 68.5 of the 333 hours of that time for marine patrol (20%), and no hours toward ATV or Snowmobile trail enforcement; and

WHEREAS, the Lewis County Board of Legislators seeks to provide for this SRO service to HCSD for one additional year, with certain considerations, conditions and understandings, including but not limited to: 1) HCSD shall reimburse the County for 55% of the full year cost of the Deputy assigned as SRO (including actual salary contractual items and obligations, fringe benefits); 2) HCSD shall reimburse the County for 100% of all overtimes costs and expenses of the SRO as SRO, above the 1,440 regular hours; 3) HCSD shall provide the County Manager with weekly logs and documentation of the SRO's daily hours and days worked, days on vacation, days school not in session, classroom assignments for each week, school incidents and/or matters in which the SRO was involved, and any other relevant data the County may request; 4) the County will expect the SRO to provide recreation patrol services for the remainder of the annual deputy sheriff hours during non-school hours, except for specific emergency which poses a clear and present danger to the public (not for staffing due to vacations, sick time, etc. of road patrol), upon notice to the County Manager and Chairman of the Board; 5) the County expects that the Deputy will devote 75% of the non-SRO time to trail enforcement and 25% of the non-SRO time to marine patrol; with the further expectation that recreation patrol will be undertaken on Wednesdays through Sundays which are the busiest days on the trails, except for Monday holidays; and 6) the Sheriff's Department will provide the weekly schedules of the SRO Deputy and his activity logs, CADS, incident reports, and other relevant data to the County Manager; and

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WHEREAS, the above described conditions and understandings are set forth in order for HCSD to understand that the agreement will provide for the County to have the unilateral right to immediately terminate the contract in the event the SRO is not performing County recreational enforcement services for the estimated hours set forth above during non-school days; and

WHEREAS, HCSD will be obligated to pay to the County 55% of the full year costs of the SRO (September, 2021 through August 31, 2022), with the County responsible for 45% of said full year costs, plus HCSD shall be responsible for 100% of any overtime expenses of the SRO as SRO above the 1440 hours. The compensation payable by HCSD, therefore, is a minimum of \$62,000.00, with adjustment to be made during the term to account for actual costs and any contractual increase obligations;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a one-year Agreement between the County of Lewis, on behalf of the Lewis County Sheriff's Department and the Harrisville Central School District to provide a Deputy Sheriff to serve as the School Resource Officer (SRO) for the period commencing on or about September 7, 2021 through June 30, 2022, at a minimum estimated cost of \$ 62,000.00, plus overtime as SRO above 1440 hours, with adjustment to be made during the term to account for actual costs and any contractual increase obligations, representing 55% of the full year cost of the Deputy Sheriff thereto assigned.

Section 2. That the Lewis County Board of Legislators authorizes said agreement and use of a Deputy Sheriff for said services upon the condition that the assigned Deputy Sheriff shall be assigned to recreation patrol services for the remainder of the annual deputy sheriff hours during non-school hours, except for specific emergency which poses a clear and present danger to the public (not for staffing due to vacations, sick time, etc. of road patrol), upon notice to the County Manager and Chairman of the Board; with the understanding that the Deputy will devote 75% of the non-SRO time to trail enforcement and 25% of the non-SRO time to marine patrol; and with the further expectation that recreation patrol will be undertaken on Wednesdays through Sundays which are the busiest days on the trails, except for Monday holidays.

Section 3. That the Agreement shall provide for the County to have the right to terminate the agreement at any time in the event the County determines that the SRO Deputy is not performing County recreation enforcement services for the estimated hours of availability to the County during non-school time.

Section 4. That the Chairman of the Board of Legislators or Vice-Chairman in his absence, and the Lewis County Sheriff, are hereby authorized to make, execute, seal and deliver said Agreement upon such form as may be approved by the County Attorney.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

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**RESOLUTION NO. 160 - 2021
RESOLUTION AUTHORIZING A ONE-YEAR AGREEMENT WITH SOUTH LEWIS
CENTRAL SCHOOL DISTRICT AND THE COUNTY OF LEWIS TO PROVIDE A
SCHOOL RESOURCE OFFICER DURING THE 2021/2022 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 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 (180 school days or 1,440 hours), 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 compensation costs of a Deputy Sheriff; and

WHEREAS, South Lewis seeks to have the County provide the SRO for the 2021/2022 school term (September, 2021 through June, 2022); and

WHEREAS, the Lewis County Board of Legislators authorized the use of a County Deputy Sheriff as School Resource Officer with the anticipation and understanding that the Deputy would provide enforcement services for the County's recreation system, primarily for ATV patrol, for the balance of the 2,080 of annual service hours expected of a Lewis County Deputy Sheriff employee; and

WHEREAS, the Lewis County Board of Legislators has considered the expectations of trail patrol by the SROs when not engaged at the school, and has considered the following:

Deputy Sheriff annual base hours -	2080
Less School days/hours (180/1440 hrs)	<u>-1440</u>
Available County Hours	640
Less 5 weeks/200 hrs vac, pers, sick, etc.	<u>200</u>
Net time available for Rec Patrol	440 hrs (11 weeks)

In addition, the 2020 data reveals that the SL SRO had approximately 465 available hours for Deputy Sheriff recreational trail enforcement. The Deputy provided 44.5 of the 465 hours of that time for recreational enforcement (10%), with 8 hours for ATV trail enforcement and 10 hours for snowmobile trail enforcement; and

WHEREAS, the Lewis County Board of Legislators seeks to provide for this SRO service to South Lewis for one additional year, with certain considerations, conditions and understandings, including but not limited to: 1) South Lewis shall reimburse the County for 55% of the full year cost of the Deputy assigned as SRO (including actual salary, contractual items and obligations, fringe benefits); 2) South Lewis shall reimburse the County for 100% of all overtime costs and expenses of the SRO as SRO, above the 1,440 regular hours; 3) South Lewis shall provide the County Manager with the school calendar and weekly logs and other documentation of the SRO's work hours, days worked, days requested to be off, days school not

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in session, classroom assignments for each week, school incidents and/or matters in which the SRO was involved, and any other relevant data the County may request; 4) the County will expect the SRO to provide recreation patrol services for the remainder of the annual deputy sheriff hours during non-school hours, except for specific emergency which poses a clear and present danger to the public (not for staffing due to vacations, sick time, etc. of road patrol), upon notice to the County Manager and Chairman of the Board; 5) the County expects that the Deputy will devote 75% of the non-SRO time to trail enforcement and 25% of the non-SRO time to marine patrol; with the further expectation that recreation patrol will be undertaken on Wednesdays through Sundays which are the busiest days on the trails, except for Monday holidays; and 6) the Sheriff's Department will provide the weekly schedules of the SRO Deputy and his activity logs, CADS, incident reports, and other relevant data to the County Manager; and

WHEREAS, the above described conditions and understandings are set forth in order for South Lewis to understand that the agreement will provide for the County to have the unilateral right to immediately terminate the contract in the event the SRO is not performing County recreational enforcement services for the estimated hours set forth above during non-school days; and

WHEREAS, South Lewis will be obligated to pay to the County 55% of the full year costs of the SRO (September, 2021 through August 31, 2022), with the County responsible for 45% of said full year costs, plus South Lewis shall be responsible for 100% of any overtime expenses of the SRO as SRO above the 1440 hours. The compensation payable by South Lewis, therefore, is a minimum of \$61,000.00, with adjustment to be made during the contract term to account for actual costs and any contractual increase obligations;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a one-year Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and the South Lewis Central School District to provide a Deputy Sheriff to serve as the School Resource Officer (SRO) for a period commencing on or about September 7, 2021 through June 30, 2022, at a minimum estimated cost of \$ 61,000.00, plus overtime as SRO above 1440 hours, with adjustment to be made during the contract term to account for actual costs and any contractual increase obligations, representing 55% of the full year cost of the Deputy Sheriff thereto assigned.

Section 2. That the Lewis County Board of Legislators authorizes said agreement and use of a Deputy Sheriff for said services upon the condition that the assigned Deputy Sheriff shall be assigned to recreation patrol services for the remainder of the annual deputy sheriff hours during non-school hours, except for specific emergency which poses a clear and present danger to the public (not for staffing due to vacations, sick time, etc. of road patrol), upon notice to the County Manager and Chairman of the Board; with the understanding that the Deputy will devote 75% of the non-SRO time to trail enforcement and 25% of the non-SRO time to marine patrol; and with the further expectation that recreation patrol will be undertaken on Wednesdays through Sundays which are the busiest days on the trails, except for Monday holidays.

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Section 3. That the Agreement shall provide for the County to have the right to terminate the agreement at any time in the event the County determines that the SRO Deputy is not performing County recreation enforcement services for the estimated hours of availability to the County during non-school time.

Section 4. That the Chairman of the Board of Legislators or the Vice-Chairman in his absence, and the Lewis County Sheriff, are hereby authorized to make, execute and deliver said Agreement upon such form as may be acceptable to the County Attorney.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

RESOLUTION NO. 161 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
FAMILY COUNSELING SERVICE OF NORTHERN NEW YORK, INC.

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, Lewis County Department of Social Services (“DSS”) is charged by law to provide rehabilitative and supportive services, as appropriate, to families whose children have been named in an indicated 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, in accordance with criteria established by Department Regulations; and

WHEREAS, DSS has determined that the purchase of rehabilitative and supportive services can be an effective and efficient means to fulfill its statutory responsibilities; and

WHEREAS, Family Counseling Service of Northern New York, Inc. (“FCS”) is a recognized agency with the experience and capacity to provide counseling to children and families with whom DSS desires to enter into an agreement;

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Department of Social Services, and Family Counseling Service of Northern New York, Inc. for the purpose of conducting clinical counseling services to individuals that are referred by DSS.

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Section 2. That the term of this Agreement shall be from June 1, 2021 through December 31, 2021 at the following costs, with provision for annual renewals upon mutual agreement:

SERVICES	FEES
Individual Sessions	\$80.00 per hour
Intakes/Exit Sessions	\$80.00 per hour
Group Sessions	\$55.00 per hour
Service Plan Reviews	\$80.00 per hour
No-show Fees for Individual Sessions/Intakes	\$40.00 per hour
No-show Fees for Group Sessions	\$27.50 per hour
Home/Community Visits for Nurturing Parenting	\$160.00 per hour
Court Testimony	\$75.00 per hour
Travel	\$80.00 per hour (no minimum time)

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators and the Commissioner of Social Services are authorized to make, execute, seal and deliver said Agreement, and any amendments thereto, 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 6th day of July, 2021.

**RESOLUTION NO. 162 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
HAND IN HAND EARLY CHILDHOOD CENTER**

Introduced by Legislator Andrea Moroughan, 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

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, 2021 through August 31, 2022 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 Fair Market Rate schedule is subject to change based on state regulations.

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Childcare Center Rates 2021-2022

Age	5 Days	4 Days	3 Days	2 Days	1 Day
Infant-Pre-K	\$220.00	\$200.00	\$150.00	\$100.00	\$50.00
AM SACC	\$30.00	\$24.00	\$18.00	\$12.00	\$6.00
Afterschool	\$30.00	\$24.00	\$18.00	\$12.00	\$6.00

- AM SACC - In the event of a school closure, rates are \$25.00 if picked up by 12:00 p.m. or \$50.00 for a full day rate.
- The weekly rate of \$220.00 includes a discounted rate of \$24.00 for children who are enrolled for five (5) days per week.

Universal Pre-K/ Temporary Kindergarten Wrap-Around Care 2021-2022

Class	Tuition
Wrap-Around AM/PM Class	\$150.00
Wrap-Around Daily Rate	\$35.00
Full Day Care	\$50.00
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 Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

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**RESOLUTION NO. 163 - 2021
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
CORNELL COOPERATIVE EXTENSION OF LEWIS COUNTY**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into a renewal 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 a renewal Agreement between the County of Lewis, by and through the Lewis County Department of Social Services and Cornell Cooperative Extension of Lewis County to provide supportive and rehabilitative services that may include parent education services to families whose children have been named in a child abuse and/or maltreatment report, or who have been assessed at risk of foster care placement, or who are in foster care and whose placements could be shortened through the provision of such services, or families who are below 200% of the Federal Poverty Limit and evidence an ability to benefit from parent education services in accordance with criteria established by Department Regulations.

Section 2. That the term of this Agreement shall be from June 1, 2021 through May 31, 2022 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 38% after Federal and State (62%) 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.

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Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

**RESOLUTION NO. 164 - 2021
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND SNOW BELT HOUSING COMPANY, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, that pursuant to NYS Office of Temporary and Disability Assistance (“OTDA”), the Department of Social Service (“DSS”) is charged with providing Outreach and Assistance for the Emergency Rental Assistance Program (“ERAP”) through OTDA; and

WHEREAS, in May 2021, OTDA notified DSS that ERAP Outreach and Assistance Plan was approved and expenses for ERAP Outreach and Assistance will be claimed and reimbursed through Grants Gateway through a contracted agreement between Snow Belt Housing Company, Inc. (“Snow Belt”) and OTDA. DSS needs to seek reimbursement from the contracted vendor of Snow Belt as DSS cannot seek direct reimbursement from OTDA per usual claiming procedures; and

WHEREAS, the change in the reimbursement process and funding source necessitates a Memorandum of Understanding with Snow Belt in order for DSS to invoice and obtain ERAP funding reimbursements; and

WHEREAS, the Board of Legislators wishes to authorize the MOU;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding between the Lewis County Department of Social Services and Snow Belt Housing Company, Inc., for the purpose of invoicing and receiving reimbursement of Emergency Rental Assistance Program expenses pursuant to OTDA funding and requirements.

Section 2. That the Commissioner of the Department of Social Services is hereby authorized to make, execute, seal and deliver such MOU, 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 6th day of July, 2021.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 165 - 2021
RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES DEPARTMENT**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, DSS has received an allocation in the amount of \$77,760.00 to support 2021 TANF Summer Youth Employment Program (SYEP);

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Social Services Department accounts for 2021 TANF Summer Youth Employment Program (SYEP) expenses:

Increase Revenue:

A0610900 346090	Fed TANF	\$72,760.00
A0610900 346150	DSS FED FFFS	\$ 5,000.00

Increase Expenses:

A0610900 110100	Pay – DSS Summer Youth Pay	\$66,452.00
A0610900 803000	Fringes – TANF SYEP Social Security	\$ 5,567.00
A0610900 804000	Fringes – TANF SYEP Compensation	\$ 741.00
A0610900 461000	DSS TANF-Foster Care	\$ 5,000.00

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 6th day of July, 2021.

**RESOLUTION NO. 166 – 2021
RESOLUTION AUTHORIZING AMENDMENT (CHANGE ORDER NO. 1)
TO AGREEMENT BETWEEN THE COUNTY OF LEWIS AND
NORTHERN PIONEER CONTRACTORS, INC.
FOR ELECTRICAL CONSTRUCTION SERVICES UNDER THE LOWVILLE
SOLID WASTE TRANSFER STATION UPGRADE PROJECT.**

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

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department, recently entered into an agreement with Northern Pioneer Contractors, Inc., (“Northern Pioneer”) to provide electrical construction services as outlined in the RFP for transfer station renovations/improvements, at a cost of \$58,500.00; and

JULY 6, 2021

WHEREAS, Northern Pioneer seeks a change order to the contract based upon significant materials price escalation for copper conductor (\$9,050.00) and for installation of additional interior conduit, connections, and pathways required by DANC and Frontier for communication service relocation within the building (\$6,914.82), for additional cost to the contract of \$15,965.62, bringing the total contract amount to \$74,465.62; and

WHEREAS, the Board of Legislators seeks to authorize the amendment/change order to the agreement, up to the stated additional cost upon presentation of the actual costs when received;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the contract with Northern Pioneer Contractors, Inc., for electrical construction services at the Lowville Transfer Station project, identified as Contract Change Order No. 1 outlining specific material price escalation amounts and telecommunications pathways and connections as outlined in the Change Order, subject to the actual costs of same when billed, not to exceed \$15,965.62.

Section 2. That the Lewis County Board of Legislators authorizes said change order for additional material price increases and telecommunication installation costs at an additional cost not to exceed \$15,965.62. Change Order No. 1 shall include a provision that the contractor shall provide the County with the actual billed costs for same.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Amendment/Change Order, 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 6th day of July, 2021.

**RESOLUTION NO. 167 - 2021
RESOLUTION AUTHORIZING ACCEPTANCE AND APPROPRIATION
OF AMERICAN RESCUE PLAN ACT OF 2021 FUNDS**

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

WHEREAS, the United States Congress has adopted the “American Rescue Plan Act of 2021” and it has become law; and

WHEREAS, *inter alia*, the American Rescue Plan Act of 2021 (ARPA) provides for financial assistance to state and local governments for eligible expenses authorized by the Act; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, under the Act, Lewis County is designated to receive the amount of \$5,107,690.00; and

WHEREAS, in anticipation of release of 50% of the funds in 2021 and remainder in 2022, a plan for its utilization is being devised for said funds to be expensed by December 31, 2024; and

WHEREAS, the County Manager has provided the Board of Legislators with an initial proposal of projects and approximate spending plan of these funds as follows:

Broadband	\$1,500,000.00
Recreation	1,500,000.00
Placemaking/Property Clean-up	1,000,000.00
Workforce & Talent Attraction	500,000.00
Façade Program	450,000.00
Childcare Development	<u>200,000.00</u>
Total	\$5,150,000.00

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That upon the review and approval of the County Attorney and the Lewis County Treasurer, the Chairman of the Board of Legislators be and hereby is authorized to sign, on behalf of the County of Lewis, any and all applications and assurances necessary to apply for and receive said American Rescue Plan Act of 2021 funds.

Section 2. That the Lewis County Treasurer be and hereby is authorized to create and credit a new Capital Reserve Account – HAZ – American Rescue Plan Act, in the amount of \$5,107,690.00, and appropriate the revenue of \$5,107,690.00 to Account # H0162000 345971.

Section 3. That an additional resolution will be required by the Board of Legislators for appropriation to each project line upon the Board’s final decision as to the projects and estimated amounts designated for each.

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

Moved by Legislator Virkler, seconded by Legislator Gilbert.

Legislator Kulzer voiced his concern that some of these programs might be over funded and that there is a need for infrastructure improvements throughout the county, citing the Town of Harrisburg bridge that is currently closed due to serious structural issues. He proposed the idea of lowering the amount allocated for Recreation from \$1,500,000 to \$1,000,000 and put the \$500,000 towards infrastructure needs. Legislator Gilbert spoke up and stated that these figures and projects aren’t set in stone yet. Legislator Hathway agreed with him and stated that each appropriation for each project will have to be done by a separate resolution upon the Board’s final decision on projects and funding amounts.

JULY 6, 2021

The resolution was then adopted on the 6th day of July, 2021. Legislator Kulzer was opposed.

OTHER BUSINESS:

Legislator Hathway stated that after looking through the information Ryan had handed out for the Renovation Project and how the county could afford it, he agreed that the county should be able to come up with the bond payment without any issues. If the county is thinking about moving forward with the Community Center, then the legislators should hire an outside person to audit the Double Play books for the last five years which could put people at ease about going forward.

Legislator Hathway made a motion to hire an independent firm to complete an audit on the Double Play finances over the last five-year period, seconded by Legislator Moroughan. Ryan stated that he had a recent conversation with Double Play about looking at a recent audit and was told that there wasn't one because they are a non for profit under the threshold for a required annual audit. Ryan felt Legislators Hathway idea was a good idea.

Eric explained that an audit is the highest level of service followed by a review and then a computation which is the lowest. An audit could cost around \$3,000 to \$4,000 per year being looked at. Legislator Hathway exclaimed that amount is nothing compared to spending \$7,150,000 on the project! Eric concluded by stating that Double Play will need to agree to this before it can be done.

Legislator Gilbert voiced his concern that it might be better to just have a review done at this point rather than spend up to \$15,000 if the board isn't seriously considering moving this project forward. Legislator Dolhof questioned Legislator Hathway if a review by a CPA firm would satisfy him, to which he responded that it would. Legislator Dolhof voiced his opinion in having been through audits with the LCDC that an audit gathers a vast amount of data that wouldn't necessarily pertain to what the board is looking for with this project.

Legislator Hathway then amended his motion to a financial review completed by an independent CPA firm of the Double Play books and records for the last five-year period, seconded by Legislator Moroughan. Legislator Chartrand requested that a plan from Double Play on how they intend on paying their portion over the next few years be included in this, indicating that a financial review wouldn't mean much to him. Joan clarified that in addition to the five-year review the legislators would like to see Double Play's plan on how they intend to pay for leasing and operating this center over the next few years.

Ryan stated that he requested an operating budget from Double Play for the first year the facility is open to prove they can manage it properly and was given a detailed budget but agrees that the CPA firms can look it over.

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Legislator Chartrand made a motion to amend Legislator Hathways amended motion to include a detailed operating budget from Double Play for the CPA firm to review, seconded by Legislator Moroughan and carried.

Legislator Kulzer discussed a request he received from the West Martinsburg Preservation Society for funding to repair and preserve the steeple on the church. The total project cost would be \$65,000, but the project is in phases the first being only \$26,000. Legislator Kulzer was hoping to be able to allocate \$10,000 to help them. He cited the historical value of this church and recent projects that have been done in that area through Town funding. Legislator Dolhof thought that this project had already received approved funding from the county, Legislator Kulzer stated that it was the Martinsburg Town Hall that received money.

Legislator Kulzer made a motion to allocate \$10,000 towards the West Martinsburg Preservation Society's church steeple repair/restoration project, seconded by Legislator Burns. Legislator Gilbert thought it would be more appropriate to gather additional information and present this request through the Finance & Rules Committee. Legislator Kulzer explained that currently the church isn't being used for anything due to the condition but in the past all of the socials have been held there and it is over seen by the West Martinsburg Preservation Society. Legislator Virkler questioned if this type of situation could be part of the Façade program, Ryan explained that the Façade program is more for downtown properties.

Legislator Hathway suggested the Community Development fund could be utilized. Legislator Gilbert questioned if this was an urgent matter or if it could wait and be processed through the American Rescue Plan funding, Legislator Kulzer voiced his concern that the project should be done before winter to preserve it before bad weather hits as it has already been temporarily fixed two years ago. Legislator Dolhof questioned if Legislator Kulzer would be satisfied with waiting until the July Finance & Rules Committee meeting to discuss it in more detail before making a decision, Legislator Kulzer felt there was no reason why it couldn't be decided right now as there wasn't more information to give on the subject.

Legislator Gilbert made a motion to table this matter for further discussion at the July Finance & Rules Committee meeting, seconded by Legislator Virkler and carried. Legislator Kulzer was opposed.

There being no other business to come before the board Legislator Chartrand made a motion to adjourn at 5:59 p.m., seconded by Legislator Burns and carried.

AUGUST 3, 2021

REGULAR MEETING
August 3, 2021

The meeting was called to order at 5:08 p.m. by the Chairman of the Board, Lawrence Dolhof.

Roll Call: 10 Legislators were present and 10 other persons.

Legislator Hathway gave the invocation. Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the June 22, 2021 and July 6, 2021 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
Philip Hathway

Dated: August 3, 2021

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

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Franklin, Livingston & Orleans County all submitted adopted resolutions calling on Governor Cuomo to complete Affordable Care Act Enhanced Federal Medicaid Assistance percentage reconciliations that are years overdue and immediately release the Federal funds owed to counties and New York City.

The following letter was received from Ms. Vicki Roy: "As a Lewis County taxpayer, I would like to express my concern in regard to the County's consideration in building and owning a structure and leasing it. I do not see why the county should use taxpayer's dollars to invest in a building for a non-profit business. When you say Number Three Wind Farm payment in lieu of tax monies would be used, that is still tax revenue to be utilized to help offset County expenses. And if I am reading the article in the Journal correctly, you would also be entering into a bond debt. I'm sorry, but this does not seem fiscally responsible. It appears that County would be taking a great risk with no sure return for our (taxpayers) money.

Additionally, I do not see where the entire county (17 Towns; 9 Villages) would benefit from a Community Center in the Village of Lowville. I am sure there are many more important challenges the County has to face. If they don't feel they need the in-lieu-of-payment, they can use it to reduce the tax levy. In my opinion, that would help all taxpayers far more than a

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Community Center in Lowville. I know in the Town of Watson many of our residents are facing a large debt for the Water District and any help they could get would be appreciated.

If Mr. Myers (Double Play) feels it is a profitable endeavor then he should be looking at other resources as I see he has, however, I do not see the taxpayers as a reasonable source. Thank you for allowing me to voice my opinion. Sincerely, Vicki A. Roy.”

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the monthly Treasurer’s report, and Highway & Solid Waste July Audit reports. Real Property Director Candy Akin and County Treasurer Eric Virkler have filed approved applications for refunds or credits of Real Property Taxes for property owners Lauren & Debbie Zehr.

Brian Mooney submitted the June and July 2021 Sealer of Weights & 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 continue the Lewis County Procurement Policy as presently in place, including continuation of the County Manager and Chairman of the Board identified as the responsible purchaser and alternate responsible purchaser, respectively, in compliance with General Municipal Law Section 104-b (2) (f), seconded by Legislator Burns and carried.

Legislator Osborne made a motion to authorize Clerk of the Board Cassandra Moser to refill one (1) full-time Deputy Clerk of the Board position effective immediately due to resignation, seconded by Legislator Hathway and carried.

Legislator King made a motion to authorize Clerk of the Board Cassandra Moser to publish an advertisement in the Watertown Daily Times to fill vacancies on the Lewis County Junkyard Review Board, seconded by Legislator Burns and carried.

Legislator Moroughan made a motion to authorize Public Health Director Ashley Waite to refill one (1) full-time Public Health Nurse position effective immediately due to resignation, seconded by Legislator Chartrand and carried.

Mr. Cayer, Lewis County General Hospital CEO, reported that the hospital received their Certificate of Need approval to move forward with the facility improvement project and are just waiting on the signed paperwork. The next step is to initiate the bond process, which the county had previously approved, through the contracted bond counsel of the county along with the Hospital CFO, County Treasurer, County Attorney, and County Manager. The Project Team will meet on August 17th to create a timeline for the bid process with a bid opening likely around Thanksgiving. Mr. Cayer voiced concerns about the current market conditions for supplies, citing increased cost of materials and supply chain issues.

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The hospital is working with the County Manager and Public Health Director to reopen the Covid-19 Screening Clinic at Maple Ridge Center, hopefully within the next two weeks. Due to the Governor's State of Emergency Declaration running out the funding for the free screening clinic also subsided. Mr. Cayer handed out information on the importance of wearing masks due to the increase in Covid-19 cases and hospitalizations throughout the county. There are challenges right now with staff leaving hospital employment, recruiting challenges, and employees who feel burnt out by the high demands of Covid.

Legislator Hathway questioned if vaccinated individuals should wear masks, Mr. Cayer responded that it doesn't matter what your vaccination status is everyone should wear a mask regardless. Legislator Hathway questioned if the hospital had received their Critical Access Designation again, Mr. Cayer stated that it was reinstated retro active to July 2020 through December 2023. In the summer of 2023, the hospital will complete a Tri-Annual Joint Commission Accreditation Survey to continue to receive the designation moving forward.

Legislator Gilbert questioned if the Critical Access Designation was a legislative or administrative fix, Mr. Cayer reported that it will end up being an administrative fix in the end. The administrative fix will address the definition, which is what caused the designation to be removed in the first place and should be a permanent fix.

COUNTY MANAGER REPORT:

Ryan reported that the grant funds the county received recently for school testing will be put towards reopening the Maple Ridge Center testing site to the public. Unfortunately, the grant will only cover those that are affiliated through employment with a school or attending a school, so the county is working with the hospital to figure out the financial piece to cover the general public. A late resolution will be presented later tonight that will cover this portion of the testing clinic by using fund balance, which will allow testing to continue 3 days a week for all residents free of charge with a tentative reopening date of August 16th.

The current number of positive cases has increased dramatically over the last week and a half to 33 cases. This puts Lewis County in a Substantial Transmission Zone according to CDC guidelines, which uses per capita data to calculate. Vaccination remains the most important issue in order to slow the increase in cases. There are vaccination clinics still occurring, one will be held on Friday, August 6th at the Lowville Fire Hall from 2:00 p.m. to 4:00 p.m. and walk-ins are welcome. The CDC recommends that any Substantial Transmission Zones require all individuals to wear masks inside buildings, regardless of vaccination status.

Ryan asked the board to weigh in on what the policy should be for county buildings, currently masks are not required unless someone is unvaccinated. Legislator Virkler agreed with the CDC recommendation to have everyone wear masks inside any county building. Legislator Kulzer voiced his opinion that the county should wait another week to see if the cases continue to rise or if the spike falls, citing that the county is spread out. Legislator Gilbert agreed with Legislator Kulzer but would also like to hear input from Departments that deal with the public. Ryan clarified that this policy would only be for county facilities, it wouldn't apply to any businesses or other facilities in the county. Legislator Dolhof suggested that there could be a

PROCEEDINGS OF THE BOARD OF LEGISLATORS

threshold set and once the county reaches that number of cases the policy would require employees to wear mask in all county facilities.

Legislator Moroughan voiced her opinion that if we only require county employees to wear masks in county facilities, but they don't wear them in any other buildings, like church or the grocery store, then what good is it going to do to stop the spread of Covid-19. Legislator Gilbert felt that residents have altered their behavior based on what the current environment is. There was further discussion. Mr. Cayer handed out information showing the benefits of masks and further stated that the masks will limit the spread, as well as social distancing and vaccinations. Hospital employees are required to wear masks. It is important to set an example for the children in our community.

Legislator King stated that he was in agreement with requiring all employees to wear masks in county facilities to try and keep the spread to a minimum. Legislator Dolhof clarifies that the current policy requires unvaccinated employees to wear masks when not at their workstation. Ryan stated that it is being done on an honor system as they are not being required to show proof of vaccination. County Clerk Jake Moser addressed the board that he has spoken to both his Clerk and DMV staff, and everyone agrees that if wearing a mask helps keep the offices open to serve the public then they are willing to wear them. They want to continue with forward progress and not have to revert to an appointment system.

Legislator Dolhof stated that it might be best to change the policy now to avoid a large outbreak that could jeopardize keeping the county buildings open to the public with the intention of changing the policy back when the numbers go back down. Legislator Kulzer voiced his concern that the data the CDC is using to come up with their guidance is for highly populated areas which Lewis County is not. He went on to state that there are many places that aren't requiring masks, it should be a choice if someone wants to wear one.

Legislator Virkler made a motion to change the county policy to require all county employees and members of the public to wear masks in shared/common spaces, like hallways, when they are unable to socially distance (6 feet) in all county owned/operated facilities, and if the county falls below the Substantial Transmission Zone designation by the CDC the policy will revert back to only requiring unvaccinated employees and members of the public to wear masks, excluding the hospital as they will continue to be required to wear masks at all times, seconded by Legislator King.

Legislator Gilbert pointed out that last year many people chose to wear a mask as a level of personal responsibility to protect those around them because there was no vaccine available. The fact that there is a vaccine that is available to protect people is what ended the need for masks, but now the county is going to require all employees to wear masks for the foreseeable future diminishes the personal responsibility aspect of this. At some point the decision may be taken out of the hands of legislators but for now he is opposed to changing the policy. Legislator Chartrand pointed out that the Public Health Director would be in favor of requiring all individuals to wear masks.

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The motion was then carried by the following roll call vote: Ayes (6) Hathway, Chartrand, Osborne, Virkler, King, and Dolhof; Nays (4) Burns, Kulzer, Gilbert, and Moroughan.

COUNTY TREASURER REPORT:

Eric reported that the sales tax receipts continue to trend well above budget. Bed Tax receipts are higher than normal, with only about 2 to 3 delinquents. The Property Tax Foreclosure is moving ahead tentatively for a November 4th, 2021, online auction date barring any extension on the eviction moratorium. ARP funding requires the first report to be submitted by August 31st which will be completed with assistance from our auditing firm. Legislator Hathway cited a resolution appointing Eric Virkler to the DANC board and questioned if he had any specific goals that would help the county. Eric responded that he is knowledgeable about DANC, will make sure Lewis County is represented well and make sure the county gets our value from that organization.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

To: The Honorable County Legislators

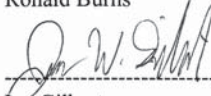
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,427,477.00 and recommend that they be audited and allowed for the amounts claimed.



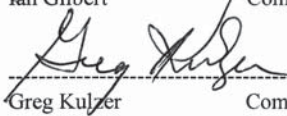
Thomas Osborne Chair



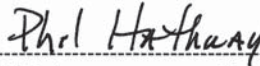
Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: August 3, 2021

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

AUGUST 3, 2021

**RESOLUTION NO. 168 – 2021
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 \$ 1,427,477.00 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 3rd day of August, 2021 by the following roll call vote:

AYES: King, Kulzer, Chartrand, Burns, Hathway, Virkler, Gilbert, Moroughan, Osborne, Dolhof

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 169 – 2021
RESOLUTION APPOINTING MEMBER TO
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY**

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Eric Virkler of Lowville, New York 13367, to the Development Authority of the North Country.

Section 2. That the term of said appointment shall be for a period of four (4) years effective from August 6, 2021 to August 6, 2025.

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 170 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE DISTRICT ATTORNEY**

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 amends the Compensation Plan of the County of Lewis with reference to the District Attorney's Office to:

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
Assistant District Attorney	Full-Time	Grade III (\$61,550- \$78,530)

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 3rd day of August, 2021. Legislator Gilbert abstained.

**RESOLUTION NO. 171 – 2021
RESOLUTION AUTHORIZING AGREEMENT WITH 10 MILE ROAD ASSOCIATION
AND COUNTY OF LEWIS FOR TRANSFER OF USED BEAMS
FOR SNOWMOBILE USE AND ACCESS ON 10 MILE ROAD**

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

WHEREAS, in 2017 the County adopted a policy on procedures pertaining to the disposal of surplus used equipment no longer suitable for its intended use; and

WHEREAS, the Highway Superintendent identified the accumulation of approximately 23 used, scrap steel beams from various repaired bridges and projects, no longer suitable for use. The Superintendent was contacted by an employee of NYS who is a member of the 10 Mile Road Association; an association of private land owners on 10 Mile Road which runs from Brantingham to Stillwater Road, who seek to use the beams to shore up various bridges along this private road; and

WHEREAS, 10 Mile Road is a critical snowmobile access trail connector between Brantingham and Stillwater Road, and an important part of Lewis County outdoor winter recreational tourism; and

WHEREAS, the Highway Superintendent estimates (from viewing on line auction site listings) that the value of this scrap metal is approximately \$5,000. The value of having this road open for snowmobiling is of significantly greater value to the County and its commitment to Lewis County economic development from recreational tourism; and

WHEREAS, the Highway Superintendent recommends and requests that the Board authorize the transfer of the used, scrap steel beams to the 10 Mile Road Association, in consideration of the Association's agreement to continue to provide and allow for snowmobile use and access of the Road, for a period of seventy-five (75) years;

AUGUST 3, 2021

WHEREAS, the Board of Legislators wishes to approve said transfer and authorize an agreement with the 10 Mile Road Association for the County's continued access of this private road for public snowmobile access and use as a connector between Brantingham and Stillwater Road;

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 Highway Department and the 10 Mile Road Association to transfer ownership of approximately 23 used, scrap steel beams, "as is", in consideration of public snowmobile use and access to this private road as part of the Lewis County snowmobile trail system, as a connector between Brantingham and Stillwater Road, for a period of seventy-five (75) years.

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

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 172 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND
TOWN OF HARRISBURG FOR TRANSFER OF RIVER ROAD BRIDGE AND
PROVISION OF \$90,000.00 TOWARD COSTS OF MATERIALS FOR BRIDGE
REMOVAL AND REPLACEMENT WITH CULVERT**

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

WHEREAS, the Lewis County Superintendent of Highways is charged with responsibility for maintenance of bridges within the municipalities comprising Lewis County; and

WHEREAS, the Superintendent of Highways closed the River Road Bridge (identified as Bridge Bin #3340130) as unsafe, which is now tagged by NYS DOT as "red flagged"; and

WHEREAS, the Town of Harrisburg seeks to have the County transfer its title and ownership interest in the bridge property, with the intention of removing the bridge and replacing it with a culvert and other required materials, with the financial assistance from the County in the amount of \$90,000.00 toward the costs of materials for this conversion, subject to receipt of appropriate permit(s) and approvals required by the NYS Department of Environmental Conservation (NYS DEC); and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the cost to the County in repairing/replacing and maintaining this bridge will be greater than the financial assistance sought by the Town in its proposal, and will forever eliminate the County’s responsibilities for maintenance of the bridge; and

WHEREAS, the Superintendent of Highways requests that the Board authorize this transfer of ownership and the sum of \$90,000.00 to the Town of Harrisburg for the River Road Bridge, subject to the Town’s receipt of proper permit(s) and approvals as may be required by the NYS DEC for conversion from bridge to culvert.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an agreement with the Town of Harrisburg for the transfer of title and ownership of the River Road Bridge, in the Town of Harrisburg (Bridge Bin #3340130) to the Town of Harrisburg, together with the sum of \$90,000.00 to the Town toward the material costs associated with removal of the bridge and replacement of same with appropriate culverts and other required materials, provided that the Town complies with and receives all necessary permits and approvals from the NYS DEC.

Section 2. That the Lewis County Treasurer is directed to make the following appropriation and transfer:

	<u>Transfer</u>
<u>Decrease Expenditure:</u>	
A0199000 499900 Contingency	\$90,000.00
<u>Increase Expenditure:</u>	
A09901000 991200 Interfund Transfer to Hwy	\$90,000.00
	<u>Appropriation</u>
<u>Increase Revenue:</u>	
D0501000 350310 Interfund Revenue	\$90,000.00
<u>Increase Expenditure:</u>	
D0501000 490900 CR Admin Misc Exp	\$90,000.00

Section 3. That the Chairman or Vice-Chairman of the Lewis County Board of Legislators, together with the Superintendent of Highways is authorized to sign, seal and execute any and all agreements and transfer documents required to give effect to this Resolution, upon review and approval of the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

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**RESOLUTION NO. 173 - 2021
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 facilitate an additional maintenance project utilizing funds allocated to the construction material account:

Increase Expenditure:

D0511000 491040 Maintenance Road Exp \$40,000.00

Decrease Expenditure:

D0515000 495150 Paving Material \$40,000.00

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 174 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE 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:

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
Cleaner	Part-Time	\$12.86 - \$16.70
<u>CREATE</u>		
Custodial Worker	Part-Time	\$14.01 – \$18.25

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

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**RESOLUTION NO. 175 – 2021
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 transfers take place from Regular Contingency to Information Technology department accounts to provide funding for computers purchased for other departments. This transfer is related to Resolution 122-2021 by which funds were added to Contingency for a NYS grant received:

From:
A0199000 499900 Contingency \$8,100.00

To:
A0168000 221700 IT Computers \$8,100.00

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 176 - 2021
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 following budget appropriations be approved in the Planning Department to accept NYS grants funds for a NY Main Street project in the Village of Lowville and to authorize the revenue and expenditure amounts:

Increase Revenue:
A0802000 339021 NYMS Downtown Stabilization Funds \$188,201.00

Increase Expenditure:
A0802000 495021 NYMS Downtown Stabilization exp \$188,201.00

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

AUGUST 3, 2021

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 177 - 2021
RESOLUTION AUTHORIZING APPLICATION FOR NATIONAL
TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION BROADBAND
INFRASTRUCTURE PROGRAM FUNDING FOR COUNTYWIDE BUILDOUT**

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

WHEREAS, the County of Lewis, by and through the Lewis County Planning and Community Development Department, desires to apply for 2021 National Telecommunications and Information Administration (NTIA) Broadband Infrastructure Program funding in an amount not to exceed \$10,000,000.00; and

WHEREAS, a covered partnership, defined as a partnership between a State, or one or more political subdivisions of a State and a provider of fixed broadband service, is eligible for a grant under the Broadband Infrastructure Program; and

WHEREAS, Charter Communications would act as the provider of fixed broadband service for this application; and

WHEREAS, the Broadband Infrastructure Program does not contain a statutory cost sharing or matching fund requirement, however, NTIA will favorably consider applications that propose to contribute a non-federal cost share of ten (10) percent of the total eligible costs of a project;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Planning and Community Development Department to submit the application for 2021 National Telecommunications and Information Administration (NTIA) Broadband Infrastructure Program funding in an amount not to exceed \$10,000,000.00, with the ten (10) percent cash local share match paid from County stimulus funds.

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 the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

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**RESOLUTION NO. 178 - 2021
RESOLUTION TO AUTHORIZE AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND NYS DEPARTMENT OF
HEALTH TO ACCEPT COVID-19 AWARD OF \$1,101,471.00 FOR
CONTINUED COVID SCREENING AND TESTING EXPENSES AND ACTIVITIES**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Public Health Agency (“PH”) was informed by NYS DOH that PH has been allocated with \$1,101,471.00 to enable and establish Covid-19 screening and testing programs in the county to support and maintain in-person learning. The award will be made upon review and acceptance by NYSDOH of a workplan and budget for the funds, and subject to execution of a contract with DOH once the budget has been approved; and

WHEREAS, in anticipation of NYS DOH’s acceptance of the workplan and budget submitted by PH, the Public Health Director seeks to have the Board of Legislators authorize the acceptance of the award and approval of the expected contract with DOH upon approval of the proposed budget for expenditures under the Grant; and

WHEREAS, the Board of Legislators wishes to authorize an agreement with NYS DOH, contingent upon the approval by DOH of the budget and workplan submitted by PH;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency and the NYS Department of Health, for the anticipated award of \$1,101,471.00 in Grant funds to enable and establish continued Covid-19 screening and testing programs in the county which support and maintain in-person learning, upon approval of the budget and workplan.

Section 2. That upon receipt of notice of acceptance/approval of the budget, workplan and proposed contract, the Lewis County Treasurer is directed to make the following appropriations:

Increase Revenue:

A0409700 3300007 NYS HRI Covid	\$1,101,471.00
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Increase Expenditures:

A0409700 110100 Personal Svs Reg Pay	\$ 85,665.00
A0409700 290900 Misc Equip	\$ 97,950.00
A0409700 440700 Supplies	\$ 195,000.00
A0409700 450700 Travel	\$ 13,691.00
A0409700 490100 Professional Svs Primary	\$ 673,160.00
A0409700 801000 Social Security	<u>\$ 36,005.00</u>
	\$1,101,471.00

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

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 179 - 2021
RESOLUTION TO AUTHORIZE AGREEMENT BETWEEN
LEWIS COUNTY HEALTH SYSTEM AND
LEWIS COUNTY PUBLIC HEALTH AGENCY
COVID SCREENING AND TESTING**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Public Health Agency (“PH”) was informed by NYS DOH that PH has been allocated with \$1,101,471.00 to enable and establish Covid-19 screening and testing programs in the county to support and maintain in-person learning. The award will be made upon review and acceptance by NYSDOH of a workplan and budget for the funds, and subject to execution of a contract with DOH once the budget has been approved; and

WHEREAS, as part of its proposed budget and workplan PH desires to enter into an agreement with Lewis County Health System (“LCHS”) to provide comprehensive community testing and screening for Covid-19 for the upcoming year commencing July, 2021. LCHS would provide the staff, supplies and testing sites for these community endeavors which will ensure and support in-person learning; and

WHEREAS, LCHS’s program plan is to provide screening and testing three days per week as a drive through at the Maple Ridge Center, and weekday symptomatic testing in a mobile testing trailer in the LCHS parking lot. The mobile testing trailer will be purchased by Public Health as part of its budget proposal under this award, with the staffing of same being provided by LCHS; and

WHEREAS, the Board of Legislators wishes to authorize 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, acting by and through the Lewis County Public Health Agency and Lewis County Health System for the continuation of Covid-19 screening and testing for the

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community as set forth in its proposed letter of services and estimate of costs \$641,160.00 for 52 weeks, subject to NYS DOH's acceptance of the PH budget and a contract for the award 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, and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 180 -2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH**

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 amends the Compensation Plan of the County of Lewis with reference to the Public Health Department to:

<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Director of Public Health	Full-time	Grade III (\$61,550-\$78,530)
Public Health Nurse	Full-time	Grade 35 (\$29.21-\$32.90)

Section 2. That the Deputy Director position shall be filled contingent upon the acceptance of the grant budget submitted by Public Health to the Department of Health.

Section 3. That the Public Health Director is hereby authorized to fill the Public Health Nurse position effective immediately.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

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**RESOLUTION NO. 181 - 2021
RESOLUTION AUTHORIZING ONE TIME PAYMENTS TO EXEMPT EMPLOYEES
FOR COVID-19 ASSISTANCE DURING THE STATE OF EMERGENCY FROM
PUBLIC HEALTH GRANT FUNDS**

Introduced by Legislator Andrea Moroughan, 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") to perform and enhance efforts for case investigations, contact tracing, enhanced testing, vaccination activities across communities, at PODs, congregate settings, etc.; and

WHEREAS, Lewis County Public Health has \$467,000.00 available in these grant funds to provide payments to exempt management level salaried employees who performed case investigations, contact tracing, quarantining, monitoring or assistance at vaccine clinics above and beyond their 8 hour workday and/or on weekends and holidays; and

WHEREAS, the grant requires these exempt employees to provide documentation as to the dates and hours of emergency covid-19 service activities, which have been collected and reviewed by the County Manager. The total amount for distribution of these grant funds to the eligible exempt employees is \$104,783.62, inclusive of all fringe costs; and

WHEREAS, the Board of Legislators wishes to authorize these one time payments for eligible exempt employees who provided emergency assistance to Public Health beyond the regular work day;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes one time payments to certain identified management exempt employees who provided documentation of their time and dates of service to Public Health in Covid-19 related grant fund activities required under this Grant, in the total amount of \$104,783.62.

Section 2. That the Lewis County Board of Legislators hereby authorizes and directs the County Manager to provide the Treasurer's office with the list of employees and amounts to be paid to each employee for these pandemic services reimbursable from the Public Health-HRI Grant revenues. The Treasurer's office is to make budget modifications to each identified Department's .1 compensation expense account upon grant budget final approval and final distribution amount to each identified employee.

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

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**RESOLUTION NO. 182 - 2021
RESOLUTION AUTHORIZING PROPOSED NEW RATES FOR AGREEMENTS
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND VARIOUS
PROVIDERS FOR PRESCHOOL SPECIAL EDUCATION PROGRAMS**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, pursuant to Resolution No. 131-2021, the Lewis County Board of Legislators authorized agreements with agencies and independent contractors who provide services to the Preschool Special Education Program for children with special education and health care needs; and

WHEREAS, the Lewis County Public Health Department has a list of proposed new rates set forth below to send to the State of New York Education Department for approval:

COUNTY LIST OF APPROVED RATES FOR PRESCHOOL RELATED SERVICES (2021-2022)			
Service	Maximum Individual Rate Per Half Hour	Maximum Group Rate Per Half Hour	Maximum Coordinator Rate Per Half Hour
Aide – 1:1 Related Services	\$ 9.00	\$ 7.00	
Assistive Technology Services	\$55.00	\$40.00	
Audiology	\$58.00	\$47.00	
Coordination	\$38.00	\$25.00	\$38.00
Counseling Services	\$44.00	\$37.00	\$38.00
School Health Services/Nurse	\$36.00	\$28.00	
Interpreter	\$30.00	\$25.00	
Music Therapy	\$57.00	\$43.00	
Orientation and Mobility	\$64.00	\$39.00	
Occupational Therapy	\$64.00	\$53.00	\$38.00
Occupational Therapy Assistant	\$55.00	\$33.00	
Play Therapy	\$64.00	\$53.00	
Parent Counseling & Training	\$44.00	\$40.00	\$38.00
Psychological Services	\$64.00	\$53.00	
Physical Therapy	\$64.00	\$53.00	\$38.00
Physical Therapy Assistant	\$43.00	\$27.00	
School Social Work	\$55.00	\$33.00	
Speech Therapy	\$64.00	\$53.00	\$38.00
Teacher of Hearing Impaired	\$56.00	\$35.00	
Teacher of Visually Impaired	\$53.00	\$33.00	\$38.00

WHEREAS, the Lewis County Board of Legislators seeks to approve said rates pending approval of the State;

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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the proposed new rates for the 2021/2022 school year, to send to the State of New York Education Department for approval regarding the agreements with the agencies and independent contractors who provide services to the Preschool Special Education Program for children with special education and health care needs.

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

RESOLUTION NO. 183 - 2021
RESOLUTION AUTHORIZING RENEWAL 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.

WHEREAS, in 2019 the Lewis County Board of Legislators adopted Local Law No. 2 and 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 2021, in the creation of a custom tax bill for its tax bill collection process to allow for installment payments of current Town and County taxes and to streamline property tax collection in Lewis County; and

WHEREAS, in order to encourage local municipalities to opt for installment payments and the same tax software program, the County paid the first two (2) years of the cost associated with local municipalities to obtain the Systems East software used by the County; with the option for the County to continue to provide that financial support for the local municipalities thereafter; and

WHEREAS, the Real Property Tax Service Director seeks to renew the agreement with Systems East, Inc., to provide annual software application, maintenance and support services for the County and twenty (20) of the local municipalities who have joined this software program through the County, at a cost of \$3,786.00 for the period of January 1, 2022 through December 31, 2022; 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:

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Section 1. That the Lewis County Board of Legislators authorizes a renewal agreement with Systems East, Inc., to provide application software maintenance and support services to the Real Property Tax Department's Tax Collection System (TCS) for collection of current County and Town taxes, at a cost of \$3,786.00 commencing January 1, 2022 through December 31, 2022.

Section 2. That the Board of Legislators directs that this fee be paid from Special Contingency.

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 184 - 2021
FIXING DATE OF PUBLIC HEARING ON ADDITION
TO THE OHV TRAIL SYSTEM
(LEWIS COUNTY OWNED FORESTRY PROPERTIES)**

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

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on August 3, 2021, a proposed addition of 7.5 miles of multi-use trails to the Lewis County OHV Trail System pertaining to Lewis County owned forestry properties. The proposed trails are located in the Town of Greig, which include the following parcels:

Parcel No.: 292.00-02-27.000 - North of Abbey Road, North and South of Beals Road
Parcel No.: 292.00-02-23.000 - North of Abbey Road, East of Fowlerville Road
Parcel No.: 292.00-02-22.000 - North of Abbey Road, East of Fowlerville Road
Parcel No.: 308.00-01-05.000 - South of Abbey Road, West of Fowlerville Road
Parcel No.: 308.00-01-06.000 - South of Abbey Road, East of Fowlerville Road
Parcel No.: 308.00-01-07.000 - South of Abbey Road, East of Fowlerville Road

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on September 7, 2021, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators at the West Leyden Fire Department, located at 1046 State Route 26, West Leyden, New York for the purpose of receiving public comment regarding the proposed addition of 7.5 miles of multi-use trails to the Lewis County OHV Trail System pertaining to Lewis County owned forestry properties.

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Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County 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 Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 185 - 2021
RESOLUTION REGARDING SEQRA REVIEW TO ADD 7.5 MILES OF
NEW TRAIL TO THE LEWIS COUNTY OHV TRAIL SYSTEM
AND DECLARING NO SIGNIFICANT IMPACT
(LEWIS COUNTY OWNED FORESTRY PROPERTIES)**

Introduced by Legislator Jerry King, Chair 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 Off-Highway Vehicles (“OHV’s”), (as defined in Local Law No. 3-2019) 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”) accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2 – 2009, “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”, as subsequently amended and re-stated in Local Law No. 3-2019, “A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM” (herein, “Local Law”); and

WHEREAS, the Local Law and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular,

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the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add a proposed addition of 7.5 miles of multi-use trails to the Lewis County OHV Trail System pertaining to Lewis County owned forestry properties. The proposed trails are located in the Town of Greig, which include the following parcels:

Parcel No.: 292.00-02-27.000 - North of Abbey Road, North and South of Beals Road
Parcel No.: 292.00-02-23.000 - North of Abbey Road, East of Fowlerville Road
Parcel No.: 292.00-02-22.000 - North of Abbey Road, East of Fowlerville Road
Parcel No.: 308.00-01-05.000 - South of Abbey Road, West of Fowlerville Road
Parcel No.: 308.00-01-06.000 - South of Abbey Road, East of Fowlerville Road
Parcel No.: 308.00-01-07.000 - South of Abbey Road, East of Fowlerville Road

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed properties, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing its investigations, findings, and conclusion of no significant environmental impact with respect to trails on these properties; and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators has reviewed the Report from Soil and Water Conservation District which concludes that there is no significant environmental impact in adding these Lewis County owned forestry properties in the Town of Greig to the Lewis County Trail System.

Section 2. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement pertaining to trails on the properties, the Board of Legislators hereby finds and determines that:

- a. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;
- b. The Report adequately describes the consultant's investigations and analysis as to any significant adverse impacts and necessary mitigations for the specific sites;
- c. The Report's findings are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
- d. The investigation and analysis of the site described as the Lewis County owned forestry properties does not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

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Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of 7.5 miles of multi-use trails to the Lewis County OHV Trail System pertaining to Lewis County owned forestry properties in the Town of Greig will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the site identified as the Lewis County owned forestry properties, and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to this site.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

RESOLUTION NO. 186 - 2021
RESOLUTION AUTHORIZING A ONE-YEAR AGREEMENT WITH COPENHAGEN
CENTRAL SCHOOL DISTRICT AND THE COUNTY OF LEWIS TO PROVIDE
A SPECIAL PATROL OFFICER DURING THE 2021/2022 SCHOOL YEAR

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

WHEREAS, the Copenhagen Central School District (CCSD) requested the services of a School Resource Officer (SRO) or Special Patrol Officer (SPO) from the County by and through the Lewis County Sheriff's Department for the 2021/2022 school term (September, 2021 through June, 2022); and

WHEREAS, the Lewis County General Services Committee reviewed relevant data pertaining to the Sheriff's Road Patrol staffing, the costs associated with another SRO versus a SPO, as well as the School's option to hire its own School Safety Officer (SSO). Since the CCSD requested services through the County, the General Services Committee recommends that the Board authorize the provision of Special Patrol Officer to CCSD; and

WHEREAS, a SPO is defined as a retired member of NYS Police or Sheriff's Departments, NYS retired Corrections, Parole or Probation Officer. The compensation for a SPO is set by the County within the limits of compensation earned under NYS retirement and Social Security Law, i.e., currently an annual maximum of \$35,000.00; and

WHEREAS, the Lewis County Board of Legislators seeks to provide CCSD with a SPO for the 2021/2022 school term, upon the County's ability to hire a Special Patrol Officer for this specific duty, and upon certain terms and conditions set forth in the Agreement, including but not limited to 1) CCSD's obligation to reimburse the County the sum of \$35,000.00 for compensation expenses of the SPO, and 2) the County is responsible for the administrative costs

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and expenses of SPO, including hiring & background checks, outfitting the SPO with uniforms, training required for the position, and 3) the County Sheriff's right to have the SPO be assigned to the Sheriff's Department during the school term in the case of emergencies, and 4) CCSD shall provide the County Manager with monthly logs and documentation of the SPO's work days, assignments, school incidents and/or matters in which the SPO was involved, and any other relevant data the County may request;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a one-year Agreement between the County of Lewis, on behalf of the Lewis County Sheriff's Department, and the Copenhagen Central School District to provide a Special Patrol Officer (SPO) for the 2021/2022 school term, commencing when the County can hire and screen the candidate for this position, at a cost payable by CCSD to the County of Lewis in the amount of \$35,000.00.

Section 2. That the Agreement shall provide for the County to pay for the costs of hiring & background checks, outfitting the SPO with uniforms, training required for the position; with the discretion and right of the County Sheriff to have the SPO assigned to the Sheriff's Department during the school term in the case of emergencies; and with CCSD to provide the County Manager with monthly logs and documentation of the SPO's work days, assignments, school incidents and/or matters in which the SPO was involved, and any other relevant data the County may request.

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

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 187 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE SHERIFF'S OFFICE**

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

WHEREAS, the Copenhagen Central School District (CCSD) accepted the services of a Special Patrol Officer (SPO) from the County by and through the Lewis County Sheriff's Department for the 2021/2022 school term; and

WHEREAS, a SPO is defined as a retired member of the NYS Police or Sheriff's Departments, NYS retired Corrections, Parole or Probation Officer and compensation is limited to the NYS Retirement and Social Security Law current annual maximum of \$35,000.00;

AUGUST 3, 2021

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 Office to:

<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Special Patrol Officer	Full-Time	up to \$35,000.00 maximum

Section 2. That the Sheriff is hereby authorized to fill said position effective immediately for the 2021/2022 school year term.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Gilbert, seconded by Legislator King.

Legislator Chartrand inquired as to whether the Sheriff had been contacted and is in full agreement with this resolution.

Sheriff Carpinelli stated that he was contacted by County Manager Ryan Piche. In a conversation today between Superintendent Connell of Copenhagen School District and himself he was under the opinion that Mr. Connell would rather have a School Resource Officer but felt the only option he had was the Special Patrol Officer. The Sheriff stated that he will not find an individual to fill the Special Patrol Officer position however, he does have an individual available as a School Resource Officer.

Legislator Gilbert detailed that in the conversation between the County and Superintendent Connell, Mr. Connell was fine with the position once explained to him and noted the cost difference of \$112,000.00 for a School Resource Officer versus \$35,000.00 for a Special Patrol Officer.

Legislator Hathway then inquired of the Sheriff that when he said he "wouldn't find anyone to fill the position" whether that meant he wouldn't attempt to fill the position.

Sheriff Carpinelli responded that he will try his best to fill the position and that people aren't "knocking down the doors" for these positions.

The resolution was then adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 188 - 2021
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
NORTH COUNTRY PRENATAL/PERINATAL COUNCIL, INC.**

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 (“DSS”) is charged by law to provide rehabilitative and supportive services, as appropriate, to families whose children have been named in an indicated 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, in accordance with criteria established by Department Regulations; and

WHEREAS, DSS has determined that the purchase of rehabilitative and supportive services can be an effective and efficient means to fulfill its statutory responsibilities; and

WHEREAS, North County Prenatal/Perinatal Council, Inc. is a recognized agency with the experience and capacity to provide parent education programs to families; 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 North Country Prenatal/Perinatal Council, Inc. to provide rehabilitative and supportive services to families in accordance with criteria established by Department Regulations.

Section 2. That the term of this Agreement shall be from September 1, 2021 through August 31, 2022 at the following costs: Individual Sessions - \$90/hour; Intakes/Exit Sessions - \$90/hour; No-show Fees for Individual Sessions/Intakes - \$50/hour; Court Testimony - \$90/hour; and Travel - \$90/hour (no minimum time).

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

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 189 - 2021
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 Andrea Moroughan, Chair of the Health & Human Services Committee.

AUGUST 3, 2021

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; 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, 2021 through September 30, 2022 at a cost not to exceed \$6,000.00, with no local share cost due to the HEAP program being 100% federally funded.

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

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 190 - 2021
RESOLUTION TO AUTHORIZE COMMISSIONER OF THE
DEPARTMENT OF SOCIAL SERVICES TO EXECUTE
REGISTERED CHILDCARE PROVIDER AGREEMENTS**

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 (“LCDSS”) is charged with providing childcare services for eligible recipients in accordance with NYS Social Services Law and NYS Office of Children and Family Services under its Block Grant; and

WHEREAS, in order to increase subsidized childcare slots covered under the Block Grant, the Commissioner seeks to contract with more registered childcare providers for such services for eligible recipients, in accordance with the not to exceed rates established under Section 415.9 of Child Care Law:

Age of Child:	Under 2	2	3-5	6-12
Weekly	\$150.00	\$150.00	\$150.00	\$143.00
Daily	\$ 33.00	\$ 30.00	\$30.00	\$30.00
Part-Day	\$22.00	\$20.00	\$20.00	\$20.00
Hourly	\$5.00	\$5.00	\$5.00	\$5.00

WHEREAS, the costs of such services are either 100% or 75% paid under the Block Grant, depending upon eligibility of the recipient; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize such agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes agreements between the LCDSS and registered childcare providers for eligible Lewis County recipients under the Block Grant from NYS Office of Children and Family Services.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Commissioner of the Lewis County Department of Social Services to execute and enter into the agreements as they may become available, subject to review and approval by the County Attorney as to form and content, and with a list of said agreements to be provided to the Clerk of the Board.

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

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 191 - 2021
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY TREASURER’S DEPARTMENT
AND SYSTEMS EAST, INC.**

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

AUGUST 3, 2021

WHEREAS, the County of Lewis, by and through the Lewis County Treasurer's Department, desires to enter into a renewal agreement with Systems East, Inc. 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 Lewis County Board of Legislators authorizes a renewal agreement with Systems East, Inc. to provide software support, maintenance services, web and cloud based hosting services for the Treasurer's data processing plan and tax collection system, for the period of January 1, 2022 through December 31, 2022, at a cost not to exceed \$8,292.00.

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 Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 192 – 2021
RESOLUTION TO APPROPRIATE FUNDS FOR
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

Section 1. That the following funds be appropriated for Program Year 2021 for the period April 1, 2021 – June 30, 2023 for Youth Services per the Notice of Obligational Authority (NOA PY21-01), dated April 1, 2021 through the New York State Department of Labor, in the amount of \$41,330.92.

Increase Revenue:

CD629300.347910 WIA Revenue	\$41,330.00
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Increase Expenditures:

CD629000.110100 WIA Youth Personal Serv.	\$17,700.00
CD629000.490900 Youth WIA	\$ 20.00
CD629000.801000 WIA Youth Retirement	\$ 2,080.00
CD629000.803000 WIA Youth FICA	\$ 1,404.00
CD629000.804000 WIA Youth Workers Comp	\$ 208.00
CD629000.806000 WIA Youth Health	\$ 6,000.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

CD629000.807000 WIA Youth Dental	\$ 240.00
CD629000.499900 WIA Youth Expenditures	<u>\$13,678.00</u>
	\$41,330.00

Section 2. That the within shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 3rd day of August, 2021.

**RESOLUTION NO. 193 - 2021
RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH DEPARTMENT**

Introduced by Legislator Andrea Moroughan, 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 accounts to provide funds for the continuation of community wide Covid-19 testing at Maple Ridge Center:

Transfer from:

A0 005990 Fund balance \$250,000.00

Transfer to:

A0409700 490100 Prof. Svcs. Primary \$250,000.00

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

Moved by Legislator Virkler, seconded by Legislator Moroughan.

Legislator Kulzer inquired as to how long this \$250,000.00 would last and if more funding would be requested later.

Legislator Dolhof responded that New York State funding will cover operations at Maple Ridge and this funding is to cover testing for county residents that are not attending or employed by a school district.

County Manager Ryan Piche advised that the cost per test is \$65.00 and within the last year 11,000 tests were completed at Maple Ridge, how long this funding lasts is reliant upon how many tests are completed that are non-school related. The hope is that more state and federal funding will come through however, if it does not more funding may be requested in the future.

AUGUST 3, 2021

The resolution was then adopted on the 3rd day of August, 2021.

OTHER BUSINESS:

A proclamation was read commemorating August 7th as “Purple Heart Day” in Lewis County.

In response to Legislator Gilbert, Ryan stated that there are currently twelve (12) breakthrough cases with six (6) of those being immune compromised individuals.

Legislator Dolhof reminded everyone that the September Board of Legislators meeting will be held at the West Leyden Fire Hall on Tuesday, September 7th at 5:00 p.m.

There being no other business to come before the board Legislator Chartrand made a motion to adjourn at 6:13 p.m., seconded by Legislator Burns and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**REGULAR MEETING
September 7, 2021**

The meeting was called to order at 5:02 p.m. by the Chairman of the Board, Lawrence Dolhof.

Roll Call: 10 Legislators were present and 11 other persons.

Legislator Gilbert gave the invocation. Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the August 3, 2021 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
Philip Hathway

Dated: September 7, 2021

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

PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened the public hearing on the proposed addition of 7.5 miles of multi-use trails to the Lewis County OHV Trail System pertaining to Lewis County owned forestry properties at 5:05 p.m.

A proclamation was read commemorating September as National Recovery Month.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The following statement was received from Lewis County Office for the Aging Advisory Council:

“Covid-19 is a constant reminder of the importance of working together in small communities to take care of each other and make decisions that protect ourselves, families, and community at large. For many older adults, this is reminiscent of the 1950’s when a new disease, polio, was ravaging children with 60,000 new cases and more than 3,000 deaths from the disease in the United States in 1952. “Polio Pioneers” were a group of children who were the first to receive the polio vaccine in the spring of 1954. Parents stepped forward and trusted science to work to end an epidemic. It worked.

SEPTEMBER 7, 2021

Older adults are at the most risk when diagnosed with Covid-19. This risk includes higher rates of hospitalization and death. The risk increases for people in their 50s and increases in 60s, 70s, and 80s; people 85 and older are the most likely to get very sick. For many older adults, and those with chronic conditions like heart disease and diabetes, the vaccine can prevent severe illness or death from the corona virus.

It is not yet clear whether the Delta variant causes more severe disease in children, but its high level of infectiousness is causing a surge of Covid-19 cases among children.

We are now at a juncture where we need to truly reconcile with the need to protect our most vulnerable - children, those with compromised health, and adults over the age of 60 years. Unvaccinated people should get vaccinated and continue masking until they are fully vaccinated. With the Delta variant, this is more urgent than ever.

Getting vaccinated prevents severe illness, hospitalizations, and death. People 65 and older who are fully vaccinated have demonstrated a greatly reduced risk of Covid-19 related hospitalization in numerous studies. Getting vaccinated is one of the most important steps you can take to protect yourself and others from Covid-19.

It's important to continue following the very important safety precautions issued by the CDC and backed by Lewis County Public Health Department:

- Wear a face mask at all times in public and when around people not in your household
- Keep 6 feet apart from people not in your household
- Wash hands frequently
- Avoid crowds

The Lewis County Office for the Aging Advisory Council appeals to you to speak to your doctor if you have not yet chosen to be vaccinated. We encourage all citizens of Lewis County to prioritize the advice of their medical provider over other sources of information.”

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the monthly Treasurer’s report and Highway & Solid Waste August Audit reports. Legislators received a Notice of Condemnation from Lewis County Codes Officer, Jonathan Roes for a structure located at 9562 Church Street, Castorland NY.

REPORTS OF STANDING COMMITTEES:

Legislator Moroughan made a motion to authorize Social Services Commissioner, Jennifer Jones to refill two (2) full-time Caseworker positions effective immediately due to resignation, seconded by Legislator Chartrand and carried.

COUNTY MANAGER REPORT:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

County Manager Ryan Piche reminded everyone that the NYSAC Fall Conference begins next week in Syracuse. He will be attending and presenting Lewis County's plan for the American Rescue Plan Act funding to everyone because the county seems to be much further ahead than other counties, which is an honor. The Broadband Expansion Ad Hoc Committee will meet tomorrow at 2:30 p.m. to keep moving forward with their planning efforts.

The 2022 Budget is well underway and Ryan will be presenting his personnel recommendations at the September Finance & Rules Committee meeting. He thanked Legislator King for serving District 10 and the county for 16 years, citing his vast knowledge of operations and his great leadership as the chair of the General Services Committee.

COUNTY TREASURER REPORT:

County Treasurer Eric Virkler reported that he had submitted the first required report for the American Rescue Plan Act funds towards the end of August. He is working to transition the County credit card to more of a Departmental system with a policy outlining that is coming in the next couple of weeks. The budget is tracking well so far this year.

At 5:18 p.m. Chairman Dolhof requested a brief recess until 5:35 p.m. in order to celebrate Legislator King's years of service to the county with refreshments.

At 5:35 p.m. Chairman Dolhof called the meeting back to order and closed the public hearing.


REPORT OF THE FINANCE AND RULES COMMITTEE:

SEPTEMBER 7, 2021


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

To: The Honorable County Legislators

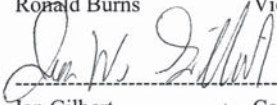
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,727,862.42 and recommend that they be audited and allowed for the amounts claimed.



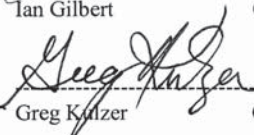
Thomas Osborne Chair



Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kutzler Committee



Phil Hathway Committee

Dated: September 7, 2021

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 194 – 2021
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 \$1,727,862.42 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator King, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021 by the following roll call vote:

AYES: Chartrand, Gilbert, Moroughan, Burns, Kulzer, Virkler, Osborne, Hathway, King, and Dolhof.

NAYS: None

ABSENT: None

**LOCAL LAW (INTRODUCTORY NO. 2 - 2021)
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 2022 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 2022 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 2022 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

SEPTEMBER 7, 2021

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 2022 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. 195 - 2021
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 2 - 2021), 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 7, 2021 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 2022 BUDGET.”

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on October 5, 2021 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.

Legislator Hathway voiced his opinion that this Local Law is unnecessary as the county hasn't exceed the tax cap in 14 years which says a lot about the administration and the oversight on putting together a fiscally sound budget. The county is on top of their financial situation.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Kulzer added that the board would pass this Local Law only to turn around and rescind it, which is unnecessary.

Legislator King pointed out that this is more like a fail-safe in case something happens that would cause the levy to be over the 2% tax cap, otherwise by the time the budget came out there wouldn't be enough time to pass this Local Law.

The resolution was then defeated unanimously on the 7th day of September, 2021.

**LOCAL LAW (INTRODUCTORY NO. 3 - 2021)
COUNTY OF LEWIS**

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

**A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 10-2019 - THE
COUNTY OF LEWIS JUNKYARD LAW**

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

ARTICLE A. INTRODUCTION

Section 1. AUTHORITY

This law is adopted pursuant to the authority granted in the County in Articles 2 and 3 of the Municipal Home Rule Law.

Section 2. TITLE

This Local Law shall be known as the "County of Lewis Junkyard Law".

Section 3. PURPOSE OF THE JUNKYARD LAW

By adoption of this Law, the County of Lewis declares its intent to regulate and control the storage or keeping of junk, and to regulate junkyards whether operated for commercial profit or otherwise. The Lewis County Legislature hereby declares that a clean, wholesome, and attractive environment is of vital importance to the continued general welfare of its citizens, and that junk and junkyards can constitute a hazard to property and persons and can be a public nuisance. Such materials may be highly flammable, sometimes explosive, and harmful to the environment. Junk and particularly junked vehicles can constitute attractive nuisances to children and certain adults. The presence of junk and junkyards is unsightly and tends to detract from the value of surrounding properties unless properly screened from view.

ARTICLE B: DEFINITIONS

SEPTEMBER 7, 2021

For purposes of this Law, the following words and phrases shall have the meaning ascribed to them in this Article.

Code Enforcement Officer: Any County Building Codes Department officer or any person proposed by and approved by the Lewis County Board of Legislators to represent the Junkyard Review Board in particular matters pertaining to this Local Law.

Junk Items: Any vehicles, parts of vehicles or motors, appliances, parts of appliances, and scrap metals as hereinafter defined.

Junk Storage Area: The areas of any parcel of land or water used, or intended to be used for the placement or storage of junk items.

Junk Vehicle(s): Any motor vehicle whether automobile, bus, trailer, truck, tractor-trailer, motor home, motor cycle, bicycle, mini-bicycle, snowmobile, or any other device originally intended for travel on the public highways which meets any of the following conditions:

- 1) Is unlicensed,
- 2) Is either abandoned, wrecked, stored, discarded, dismantled, or partly dismantled; or
- 3) Is not in any condition for legal use upon the public highway.
- 4) With respect to any motor vehicle not required to be licensed, or any motor vehicle not usually used on public highways, the fact that such motor vehicle has remained unused for more than six (6) months and is not in condition to be removed under its own power shall be presumptive evidence that such motor vehicle is a junk vehicle.

Junk Appliance: A household appliance, including but not limited to, washing machine, dryer, dishwasher, stove, furnace, water heater, refrigerator, freezer, television, furniture, or computer that is stored outside of any residence or structure.

Scrap Junk: Any used, discarded, previously owned items such as ferrous metals, aluminum, brass, copper, lead chromium, tin, nickel or other alloys.

Junkyard: The outdoor storage or deposit of the following:

- 1) Three (3) or more junk vehicles; or
- 2) Three (3) or more junk appliances including, but not limited to washing machines, dryers, dishwashers, stoves, furnaces, refrigerators, freezers, televisions, computers; scrap parts of junk vehicles; and scrap metals; or
- 3) A combination of items in 1) or 2) above that total four (4) or more items.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Junkyard Review Board: The board appointed and designated by the County Legislature to administer this Law. Also referred to herein as “JRB”. The JRB shall consist of five (5) members, residents of Lewis County, appointed by the County Board of Legislators in a manner that attempts to achieve representation from all areas of the county.

Person: A person, firm, partnership, association, corporation, company, or organization of any kind.

Right-of-Way Line: Line forming boundary of the right of way of a street, road, or highway as dedicated by a deed of record. Where the width of the right-of-way is not established, the right-of-way line shall be considered to be twenty-five (25) feet from the center line of the road pavement.

Exempt Properties: This local law does not apply to Auto / Truck / Farm equipment dealers, registered auto repair stations/businesses, and active agricultural operations as defined under the NYS Agriculture and Markets Law.

ARTICLE C: JUNKYARD REGULATIONS

Section 1. LOCATION

No junk storage area shall be located within:

- A. Fifty (50) feet of any adjoining property line.
- B. Five hundred (500) feet of any public park, church, educational facility, nursing home, public building, or other place of public gathering.
- C. One hundred (100) feet of any stream, lake, pond, wetland, or other body of water.
- D. One hundred (100) feet from the right-of-way line of any public street, road, or highway.

Section 2. SCREENING

- A. Where a junkyard is or would be visible from a public highway or from neighboring properties, there shall be erected and maintained an eight (8) foot high opaque fence to screen the junk storage area. All junkyard items dealt with by the operation of the junkyard shall be kept within such screening at all times so that the junkyard items are not visible from the public highway or from neighboring properties. The applicant may secure waivers from any and all neighboring property owners with respect to requirement of the eight (8) foot high fence to screen. However, if the Junkyard is still visible from a public highway, the eight (8) foot high screening is still required.
- B. The fence provided for in this section shall be of wood or other materials as required by the Junkyard Review Board to totally screen the junk storage area from view. All fencing

SEPTEMBER 7, 2021

must be in place and approved by the JRB or its designee prior to issuance of a junkyard permit/license.

- C. As an alternative, the Junkyard Review Board may permit or require such other screening by adequate planting of evergreen trees and shrubbery. Until such natural fencing reaches the height and fullness to provide year-round opaque screening, the applicant will be required to have the man-made fencing in place. Once the natural fencing is approved, the man-made fencing may be removed. The following requirements shall apply in those cases where this alternative is permitted or required:

1) The applicant shall provide evidence that within four (4) years of the issuance of the initial license the proposed method of natural screening will provide a year-round opaque screen of the junk storage area from public highways and from neighboring properties.

2) The screening shall be opaque, and remain opaque. If the screening is live, planted growth/shrubbery, the plant growth/shrubbery must attain a height of eight (8) feet within four (4) years of the issuance of the initial license, issued with man-made fencing requirements as hereinbefore set forth. If such requirement is not met within four (4) years, the applicant will be required to have the man-made fencing remain in place for renewal of the license, or as the JRB may otherwise require, pursuant to this Section.

3) Prior to the Junkyard Review Board approval of the license or of a license renewal, the junkyard owner shall be required to provide evidence of compliance with this section of the law. In addition, the junkyard owner shall be required to provide evidence that all dead trees and shrubbery constituting the screen have been replaced with flora of the same species as the approved screen. Such replacements shall be planted at a height sufficient to maintain an opaque screen. Replacements shall be planted prior to application for renewal and before issuance of a renewal license.

Section 3. BURNING

No materials shall be burned in a junkyard except in compliance with the New York State Outdoor Burning Law (see 6 NYCRR 215).

Section 4. BURYING

No junkyard items shall be buried in a junkyard except in compliance with the New York State Solid Waste Disposal Law (see 6 NYCRR 360).

Section 5. APPROVED JUNKYARD ITEMS

No junkyard items shall be stored in any junk storage area other than those items specified on a junkyard license approved by the Junkyard Review Board pursuant to this Law.

ARTICLE D: JUNKYARD LICENSE

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. LICENSE REQUIRED

- A. No person shall establish or maintain a junkyard within the County of Lewis unless a license has first been issued for such junkyard pursuant to this Law.
- B. No person owning, having any right to, or any interest in any real property within the County of Lewis shall license, rent, lease, or otherwise permit the use of such real property or any part thereof to be used for a junkyard unless a license has first been issued for such junkyard pursuant to this Law.
- C. All licenses shall be issued for a period of four (4) years, after which time, renewal(s) shall be required.
- D. Any modification to an existing license requires a new application.

ARTICLE E: APPLICATION PROCEDURE

Section 1. APPLICATION

The applicant for a junkyard license shall obtain application from the County Code Enforcement Officer. The completed forms, along with one copy of the proposed site plan, and the appropriate fees, shall be returned to the County Clerk. The County Clerk shall notify and provide the application materials to the Code Enforcement Officer. The Code Enforcement Officer shall submit the application materials to the Junkyard Review Board.

Section 2. SITE PLAN CONTENTS

The site plan shall be drawn to scale or indicate all dimensions and show:

- A. All existing and proposed structures, including fences;
- B. All property lines including the names of owners of adjacent property;
- C. All streams, lakes, wetlands, floodplains, and other water bodies;
- D. All wells and sanitary facilities;
- E. All roads and easements;
- F. All existing and proposed junk storage areas;
- G. All existing and proposed access ways, and parking and loading areas.

Section 3. ENVIRONMENTAL IMPACT STATEMENT

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An Environmental Assessment Form (EAF) shall be completed and submitted with all applications pursuant to the provisions of the State Environmental Quality Review Act (SEQRA) (see 6 NYCRR 617). If the EAF indicates that the proposed activity may have significant environmental consequences, the Junkyard Review Board shall require that a Draft Environmental Impact Statement (DEIS) be submitted with the application. The application shall not be considered complete until the DEIS has been accepted by the Junkyard Review Board.

Section 4. FEES

A. The application fee shall be in the minimum amount of ONE HUNDRED DOLLARS (\$100.00) and must accompany all applications. A license fee shall be in the amount of FIVE HUNDRED DOLLARS (\$500.00)), for a four-year license. Renewal fee is \$500.00 for additional four year license periods.

B. The Junkyard Review Board, upon notice to the County Board of Legislators, is, in its discretion, empowered to set a higher application fee and license fee, and may also set such other fees and charges as it shall determine appropriate. All fees shall be collected by the Lewis County Clerk for and on behalf of the Lewis County Junkyard Review Board.

Section 5. PUBLIC HEARING

The Junkyard Review Board shall conduct a public hearing within forty-five (45) days of the date a complete application is received by the Review Board. Notice of the hearing shall be made in the official newspaper of the County at least five (5) days prior to the date thereof. At the hearing, the Junkyard Review Board shall hear the applicant and all other persons wishing to be heard on the application for a junkyard license.

Section 6. JUNKYARD REVIEW BOARD ACTION

Within forty-five (45) days of said hearing, the Junkyard Review Board shall render a decision to approve, to approve with conditions, or to disapprove the application for a junkyard license. The forty-five (45) day period may be extended by mutual consent of the applicant and the Junkyard Review Board. All findings of the Junkyard Review Board shall be entered into the Junkyard Review Board minutes. The decision of the Junkyard Review Board shall immediately be filed in the office of the County Clerk. The applicant shall be notified of the decision and the reasons for such decision within ten (10) days of the decision of the Board. Upon approval of the site plan and application, and payment of all fees and reimbursable costs due the County, the Junkyard Review Board shall endorse its approval upon a copy of the final site plan and application.

Section 7. ISSUANCE OF LICENSE

A. If the application is approved by the Junkyard Review Board, a Junkyard License shall be issued by the Enforcement Officer upon presentation of a paid receipt from the County

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Clerk with respect to payment of the license fee. No license shall be approved with a permit issued where proper fencing has not been completed.

- B. If the application is approved with conditions by the Junkyard Review Board, the Enforcement Officer shall issue a Junkyard License only upon completion of an on-site inspection verifying that the conditions itemized by the JRB have been met and are consistent with this law, and upon presentation of a paid receipt from the County Clerk with respect to payment of the license fee.

- C. If the application is approved with conditions, and if the Enforcement Officer determines that the conditions have not been met, the Enforcement Officer shall notify the applicant and JRB in writing with a description of how the conditions are not compliant, and confirming that the Enforcement Officer did not issue a license. The Notice to applicant and JRB shall include a provision that the applicant has up to the date of the next JRB regular meeting or sixty (60) days, whichever event first occurs, for the applicant to meet the conditions or have his/her application be deemed denied and in violation of this Law, if applicable, with the right of the JRB to pursue further legal action and proceedings for said violation. Notwithstanding the foregoing sentence, the JRB may, in its sole discretion, extend the period of time for compliance upon written request of the applicant for good cause shown for a maximum of ninety (90) days.

Section 8. LICENSE RENEWAL

Applications for renewal shall be approved by the Junkyard Review Board upon notification by the Code Enforcement Officer that the junkyard remains in compliance with this Law. Upon receipt of a copy of the Board's approval, and presentation of a paid receipt from the County Clerk with respect to payment of the renewal application and license fees, the Code Enforcement Officer shall issue the Junkyard License Renewal.

ARTICLE F: GENERAL CONSIDERATIONS

Section 1. AESTHETIC CONSIDERATIONS

In granting or denying a license, the Junkyard Review Board shall take the following aesthetic factors into consideration:

- A. Type of road servicing the junkyard or from which the junkyard can be seen.
- B. Natural or artificial barriers protecting the junkyard from view.
- C. Proximity of the site to established residential or recreational areas or main access routes thereto.

Section 2. LOCATIONAL CONSIDERATIONS

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In granting or denying a license, the Junkyard Review Board shall take the following locational factors into consideration:

- A. The nature and development of surrounding property, such as the proximity of public parks, churches, educational facilities, nursing homes, public buildings, or places of public gathering.
- B. Whether or not the proposed location can be reasonably protected from affecting the public health and safety by reason of offensive or unhealthy noise, odors, smoke, or of other causes.
- C. The proximity of streams, lakes, wetlands, flood plains, groundwater supplies, and public water supplies.
- D. Local drainage patterns.
- E. Long range comprehensive plans for the County or local municipality.
- F. Proximity of the site to established residential or recreational areas.
- G. Availability of other suitable sites for the junkyard.

ARTICLE G. ADMINISTRATION AND ENFORCEMENT

Section 1. JRB MEETINGS, BY-LAWS, RULES AND REGULATIONS

A. Regular meetings of the JRB shall be held monthly during the months of May through October, and bi-monthly during the months of November through April, at a time and place designated by the JRB. If the JRB seeks to modify the frequency of regular meetings, it shall request any proposed change to the County Board of Legislators, who may amend the frequency of regular meetings as well as the number of members constituting the JRB by Resolution adoption.

B. Except for the number of members constituting the JRB and the frequency of regular meetings of the JRB, there is delegated to the JRB the power and authority to adopt, enact and amend any by-laws, rules, directives and regulations necessary or appropriate in furtherance of carrying out its duties and responsibilities under this Local Law.

C. The JRB shall amend its current by-laws to be consistent with this Local Law and any amendments or revisions thereto. The JRB shall forward a copy of its updated by-laws, rules and regulations to the Lewis County Clerk of the Board upon adoption.

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Section 2. WAIVERS

Where a Junkyard Review Board finds that due to special circumstances of a particular case, a waiver of certain requirements as stated in Article C herein is justified, a waiver may be granted. No waiver shall be granted, however, unless the Junkyard Review Board finds and records in its minutes that:

- A. Granting the waiver would be in keeping with the intent and spirit of this law, does not violate the granting of a variance (which is the domain of the local Planning and/or Zoning Boards), and is in the best interest of the community.
- B. There are special circumstances in the particular application, which the JRB shall set forth in its decision to grant the waiver.
- C. Denial of a waiver would result in undue hardship to the applicant, provided that such hardship has not been self-imposed by the applicant and/or based upon circumstances known to the applicant.
- D. The waiver is the minimum necessary to accomplish the purpose, without violation of any local Planning or Zoning Board requirements.

Section 3. ENFORCEMENT OFFICER DUTIES AND RIGHTS

- A. The Enforcement Officer shall make inspections of any junkyard for which application for a license has been made, or any other readily or commonly observed existing property within the County which appears to constitute a junkyard as defined in this local law. The enforcement officer shall report to the Junkyard Review Board on the conditions of such junkyard.
- B. The Enforcement Officer shall conduct annual inspections of licensed junkyard properties in the County to ensure compliance with the law and the license issued for same. The Enforcement Officer shall attempt communication with the property owner/interested property in an effort to informally address the observed violations, and shall report all observations and attempts to informally remedy to the Junkyard Review Board together with the Enforcement Officer's recommendation(s) for compliance.
- C. The Enforcement Officer shall have the right to enter onto a property which is the subject of this Local Law as an invitee. It shall be the responsibility of an applicant or license holder to arrange for any additional access by the enforcement officer to inspect the premises prior to license issuance and during the licensing process, during a license renewal period, and for other reasonable periodic inspections, including but not limited to the annual inspection. By submission of an application for a license or renewal license, the applicant is deemed to have consented to the enforcement officer's access to his/her property to inspect the premises in the licensing process. In addition, if the JRB grants a license, the license holder is deemed to have consented to the enforcement officer's right

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of access to the property in order to conduct the annual inspection and for inspections pertaining to any reported complaints with respect to this Local Law.

- D. The Enforcement Officer shall investigate, attempt to informally remedy, and report to the Junkyard Review Board, with respect to properties to which the officer has received any written complaints of any alleged violation of this law, as well as to any commonly and readily observed properties within the County alleged to be in violation of this law.

Section 4. DIRECTIVES BY JUNKYARD REVIEW BOARD & REVOCATIONS

- A. If the Enforcement Officer reports a violation of this law to the Junkyard Review Board, and the Review Board determines that a violation is present, the Review Board shall direct the Enforcement Officer to issue a Notice of Violation(s) and Compliance Order to the property owner, tenant, and record lien holder, setting forth the following:
 - 1) address of the property;
 - 2) specific statements and particulars of the violation(s);
 - 3) a compliance order outlining specific steps or actions to be taken to remedy the violation(s) for the property to be in compliance with the law;
 - 4) statement setting forth that the steps or actions to remedy the violations shall commence within ten (10) days of service of the Notice, and shall be completed within thirty (30) days thereafter, unless otherwise extended by the Junkyard Review Board for good cause shown;
 - 5) issuance of an appearance ticket to the property owner/license holder, containing a date, time and location for the property owner/license holder to appear before the Junkyard Review Board to answer the alleged violations set forth in the Notice of Violation(s) and Compliance Order.
- B. The aforesaid Notice of Violation(s) and Compliance Order and Appearance Ticket shall be served:
 - 1) by delivering a copy of the Notice & Order and Appearance Ticket by regular mail and by certified mail- return receipt requested directed to the property owner(s), his executor, administrator or agent's last known address as shown on the records of the receiver of taxes, and any other address which may be known to the enforcement officer as the owner's address. If regular mail is returned undeliverable and if certified mail -RRR is returned unsigned, the enforcement officer shall effect service by nail and mail posting of a copy of the documents on the property, and shall attempt personal service upon the property owner(s) with due diligence (at least three (3) separate attempts).

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- 2) In addition, service by certified mail and regular mail upon any other person having a vested interest in the property, such as a tenant, and lienholders as shown by the records of the receiver of taxes (for example, a mortgage lender) shall be undertaken.
- C. After a Notice of Violation and Compliance Order and Appearance Ticket have been issued, and close to the date that the matter is to appear before the JRB, the Enforcement Officer shall reinspect and/or observe the property so that the Enforcement Officer may report an update on the condition of the property to the Junkyard Review Board for further action and direction.
- D. Where there is an existing license, the Junkyard Review Board may revoke a Junkyard License upon reasonable cause, should the applicant/license holder fail to comply with any provision of this law. Before a license may be revoked, a public hearing shall be held by the Junkyard Review Board. Notice of the hearing shall be made in the official newspaper of the County at least five (5) days prior to the date thereof. Service of a copy of the Notice of the Hearing shall be mailed to the license holder/applicant by certified mail and regular mail at least fourteen (14) days prior to the hearing. At the hearing, the Junkyard Review Board shall hear the license holder and all other persons wishing to be heard on the revocation of the junkyard license. Should the Junkyard Review Board decide to revoke a license, the reasons for such revocation shall be stated in the Junkyard Review Board minutes. The license holder shall be notified of the revocation and the reasons for same, by certified mail and regular mail within ten (10) days of the completion of the hearing.

A copy of the Notices served upon an applicant or property owner as hereinabove set forth shall be filed in the office of the County Clerk of Lewis County.

Section 5. FAILURE TO COMPLY, ENFORCEMENT AND PENALTY OPTIONS

In the event of the failure or refusal of the property owner(s)/responsible person(s) so notified to comply with a Compliance Order or other directive of the Junkyard Review Board through its Enforcement Officer, either for noncompliance with the application and licensing process or for another violation of this Local Law, the Junkyard Review Board may recommend and direct that the matter be turned over to the County to initiate any and all of the following enforcement proceedings:

- A. Criminal Proceeding and Penalties: Any person who shall violate any provisions of this law may be subject to criminal prosecution, and if convicted of a criminal violation for failure to comply with this Local Law shall, for a first conviction thereof, be punished by a fine of not less than FIVE HUNDRED DOLLARS (\$500.00), or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second such conviction within thirty-six (36) months thereafter, such person shall be punished by a fine of not less than ONE THOUSAND DOLLARS (\$1,000.00), or by imprisonment for not more than forty-five (45) days or by both such fine and imprisonment; upon a third or subsequent conviction within thirty-six (36) months after the first conviction, such person shall be punished by a fine of not less than TWO THOUSAND FIVE

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HUNDRED DOLLARS (\$2,500.00), or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Every such person shall be deemed guilty of a separate violation for each week such violation, disobedience, omission, neglect, or refusal shall continue. Any reference for legal assistance in connection with criminal enforcement or prosecution herein shall be made to the District Attorney of the County of Lewis, or by delegation from the District Attorney to County Attorney of Lewis County for prosecution.

- B. Civil Proceeding and Penalties: Any person who shall violate any of the provisions of this Local Law may be subject to a civil action to be found guilty of a violation of this law, and if so found, shall be subject to a civil penalty of not less than FIVE HUNDRED DOLLARS (\$500.00), to be recovered by the County in the civil action. Every such person shall be deemed guilty of a separate violation for each week such violation, disobedience, omission, neglect, or refusal shall continue. Any reference for legal assistance in connection with enforcement assistance or prosecution herein shall be made to the County Attorney of the County of Lewis.
- C. Order for Removal of Junk and Assessment of Expenses: In addition to the above proceedings and penalties, in the event of the refusal or neglect of the property owner so notified to comply with the directives and orders of the Junkyard Review Board as hereinabove set forth, the Lewis County Board of Legislators may take additional action in the name of the County, including but not limited to the removal of said Junk either by County employees or by contract, upon the following procedure:
- 1) The Enforcement Officer, in consultation with the County Attorney, shall gather all information from his/her investigation and the steps followed with the Junkyard Review Board as hereinabove set forth, and report in writing to the Board of Legislators his documentation of the procedures and steps taken, his findings and recommendations to the Board of Legislators as to whether removal of the Junk should be undertaken. In the report, the Enforcement Officer is to advise the Board of any known hazardous materials, and confirm that the NYS Department of Environmental Conservation (“NYS DEC”) has been contacted for input on taking appropriate action if hazardous materials were found;
 - 2) The Enforcement Officer shall provide the property owner(s) with a copy of the Report and any other documents he/she provides to the Board of Legislators. In addition, the Enforcement Officer will provide the property owner(s) with Notice of the monthly Board of Legislators meeting when the Board will consider such report and take any action by Resolution.
 - 3) The Board of Legislators shall, at a public meeting, consider such report and by resolution, determine:
 - i. If in its opinion such property is a junkyard under the provisions of this Law;

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- ii. If in its opinion the Enforcement Officer and Junkyard Review Board followed the steps and procedures outlined in this Law to provide the property owner with the ability to address the matter and remedy the matter with and before the Junkyard Review Board;
 - iii. Whether to order the removal of the Junk and assess expenses against the violator; and
 - iv. Direct that a notice of its decision be served upon the property owner(s) and any other persons with interest in the property by the methods set forth in Article G Section 3 above.
- 4) Notice of the Board's Decision shall be given as set forth in Article G, Section 3 (B) above, and contain the following:
- i. a description of the property;
 - ii. a statement of the particulars in which the property is deemed to be a junkyard and in violation of this Local Law;
 - iii. an order outlining the manner in which the property is to be made compliant with the law, or its removal together with a date as to such steps are to be completed;
 - iv. a statement that in the event of neglect or failure to comply with the order of the Board of Legislators to comply with the Law or remove the Junk, the Board of Legislators is authorized to access the premises to provide for removal of the Junk, to assess all expenses thereof against the land on which it is located, and in addition, to institute a special proceeding to collect the costs of removal and enforcement, including legal expenses;
 - v. a date, time and place for a final hearing before the Board of Legislators in relation to such violations of this Local Law and the remedies the Board may order. Said hearing shall be scheduled not less than seven (7) business days from the date of service of the Notice.
 - vi. a copy of the Notice served shall be filed with the Lewis County Clerk.

ARTICLE H: REFUSAL TO COMPLY AND ASSESSMENT OF EXPENSES

- A. In the event of the refusal or neglect of the property owner so notified to comply with said order(s) of the Board of Legislators and after final hearing, the Board of Legislators shall provide for the removal of such Junk either by County or Town employees (or a combination of said employees as they may agree), or by private contract. Any private contract for removal of Junk in excess of \$20,000.00 shall be awarded through competitive bidding.
- B. All expenses incurred by the County in connection with the proceedings to remove the Junk, and all reasonable and necessary legal expenses incidental thereto, shall, at the option of the Board of Legislators, either:
- (1) Be assessed against the land on which such Junk is located and shall be levied and collected in the same manner as provided in Section 270 of the County Law for the levy and collection of a special ad valorem levy; or

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(2) Be collected by commencement of a special proceeding against the owner(s) of said property in the Supreme Court, County of Lewis.

ARTICLE I: REMEDIES AT LAW

Notwithstanding the above administrative procedures, the County may maintain an appropriate action or proceeding in a court of competent jurisdiction for enforcement and to recover costs and expenses incurred by the Junkyard Review Board and County to remedy a violation and to compel compliance with the law, or to restrain by injunction the violation of any article of this Local Law.

The appropriate remedy for an applicant who disputes a finding and decision of the Junkyard Review Board or the Board of Legislators is an action brought in a court of competent jurisdiction at the applicant's sole cost and expense.

ARTICLE J: APPLICABILITY

This Local Law shall not apply to any city, village, or town during such time as such city, village, or town is regulating or licensing junkyards.

ARTICLE K: SEVERABILITY

If any clause, sentence, paragraph, section or article of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such judgment shall have been rendered.

ARTICLE L: EFFECTIVE DATE

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

ARTICLE M: PRIOR JUNKYARD LAWS

This Local Law replaces Local Law No. 10-2019, which amended and repealed all former Junkyard Laws (Local Law No. 3-2001, No. 3-2011, No. 7-2014, No. 2-2015, and No. 6-2017).

**RESOLUTION NO. 196 - 2021
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 3 - 2021), COUNTY OF LEWIS**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, a proposed Local Law entitled “A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 10-2019 - THE COUNTY OF LEWIS JUNKYARD LAW” was presented and introduced at a meeting of this Board of Legislators held on September 7, 2021;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on October 5, 2021, 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 Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**LOCAL LAW (INTRODUCTORY NO. 4 - 2021)
COUNTY OF LEWIS**

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

**A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 5-2020 – 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 “**THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY WHERE THE TOWN HAS OPTED IN**”.

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

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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/town properties, roads, trails. There are several events organized and held in Lewis County where county/town roads, county/town public rights-of-way, trails, parks, and lands are used for the event, or are adversely affected by the event activities because of road closure, traffic congestion, parking concerns, damage to town and county roads , etc.

B. The occurrence of such events as described and defined herein may place an unwarranted burden on the County/Town 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 and town 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 and town 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, town roads and/or town property of any town who opts into this law, 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/town property, that certain rules and regulations be established for special events involving county roads, trails, parks and other lands, as well as town roads and other town property of any town who opts into this law 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 or Town roads, trails, parks and other lands.

SECTION 4. DEFINITIONS

FOR PURPOSES OF THIS LOCAL LAW:

A. 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. The term “any town who opts in” shall mean a Lewis County Town who executes an Inter Municipal Agreement (IMA) with the County in which the Town agrees, *inter alia*, to adopt this Local Law for special events held in its town on town roads or other town property.

C. “Special motorized event” shall mean any outdoor gathering of FIFTY (50) or more participants involving vehicles, motorcycles, ATV/OHVs, UTVs, snowmobiles, or other motorized equipment, or any combination thereof which involve:

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1. Any gathering or organized event taking place on County roads, trails or other property which may interfere, impede or obstruct the flow of traffic or which does 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 (OHV) Trail System.

3. Any gathering or organized event taking place on an opted-in Town road, trail or other property which may interfere, impede or obstruct the flow of traffic or which does not comply with normal traffic regulations or controls. Any ATV/OHV event on town roads will require users/participants to obtain a Lewis County OHV permit.

4. Any snowmobile events of 50 participants or more, even if held on private property, will require a permit where the event may interfere, impede or obstruct the flow of traffic or which does not comply with normal traffic regulations or controls on County roads or opted-in town roads; or where the snowmobile activity or event on private property may result in damage to County roads or lands or roads and lands of opted-in towns; or where the snowmobile activity or event requires placement of signage or pavement markings on County roads or town roads for towns who have opted into this law.

D. "Special non-motorized event" shall mean gatherings of ONE HUNDRED FIFTY (150) or more persons and their activities on county-owned or opted-in town-owned roads, trails or other properties.

SECTION 5. PERMITS

A. No person may organize, operate, promote, or conduct a special event on a County or opted-in Town 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, the Town Superintendent of Highways and Supervisor, and any other relevant County or Town 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 and/or opted-in Town 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 and opted-in Town 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

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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 opted-in Town, or any other municipal government located within the County; but said municipality shall submit an application for the event.

3. The County, by decision of its County Manager, DRFP, County Attorney, Highway Superintendent, in consultation with any other relevant Department or municipality, will have the discretion to waive the requirement of a permit fee depending upon the nature of the event (parade, wedding, etc.), consistent with the purpose of this local law and permit process to have County and local towns know when there are events which can cause disruption, safety concerns, and potential damage to life and property, with the need for emergency services.

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 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 County and/or Town Departments as may be required, 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, any appropriate County Departments, and any appropriate Town Supervisor and Highway Supervisor 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.

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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 and/or Town Department(s) requested by the DRFP.

2. In such cases, the DRFP will notify the applicant of the additional review before the application will be deemed fully submitted. The preliminary application may then be reviewed and commented upon by the those appropriate Department 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 and/or Town 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 and/or any opted-in participating Town, its agents and employees for loss of profits or any other damages.

SECTION 7. CONDITIONS OF USE AND INSURANCE REQUIREMENTS

A. Neither the County nor any opted-in Town affirms that the County-owned or Town-owned road/trail/site/property affected by or used for the special event has been designed, constructed, or maintained for the purpose of the activity/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 roads, trail system and municipal properties. It shall be the sole obligation of the applicant to determine whether the county and/or town site(s) is suitable for the purpose of safely conducting the event.

B. The applicant shall exercise due care in its use of the municipal property and shall upon the expiration, termination or cancellation of the issued permit, surrender the municipal 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 municipal property(s) to its previous condition.

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

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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 any 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 Town who has opted into this local law wherein the event is occurring, 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 and 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 and any opted-in Town in which the event is occurring, by the insurance provisions hereinabove set forth, neither the County or Town(s) shall be liable for any damage or injury to the applicant, employees, event organizers, volunteers, participants, or any other person, or to any of their property occurring during the event and/or 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 and any opted-in Town effected by this event from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees and road damage, 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, in consultation with the County Manager, County Attorney, County Superintendent of Highways, and any other appropriate and relevant municipal official, will have the discretion to determine whether or not there is a need for insurance based upon the type of event or to determine to adjust the required insurance coverages and amounts, depending upon the nature of the event, i.e., activities, size, duration.

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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) and designees, i.e., the DRFP, Highway Superintendent, etc., that any of the items required as conditions under the permit are 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 Manager, Board of Legislators, and the appropriate Opted-in Town Supervisor. Notice of such termination shall be in writing and delivered to the applicant at the mail address and e-mail address set forth in 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 and/or on opted-in effected Town roads, trails, or other town 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 not applying for an event permit shall be subject to a civil penalty, enforceable and collectible by the County of Lewis in any court of competent jurisdiction within the County of Lewis as follows :

a. in the amount of \$50.00 - \$500.00 for holding a non-motorized event, depending upon the nature, size, location and municipalities involved.

b. in the amount of \$500.00 - \$1,000.00, plus an additional \$5.00 per participant for holding a motorized event, depending upon the nature, size, location and municipalities involved. The \$5.00/per participant fine fee for failure to obtain the permit will be deposited into a special fund for distribution among participating municipalities pursuant to the terms in the IMA.

3. Any person and/or participant in a special motorized event who rides outside of the designated travel part of a County or Town road/trail/property (*for example*, riding on the road shoulder, drainage ditches, etc.) shall incur a fine of \$1,000.00.

4. In addition to the above penalty(s), the County of Lewis or a Town who has opted into this local law, who is directly adversely affected by the special event, may maintain an action or proceeding in a Court of competent jurisdiction to compel compliance with or to restrain by injunction, the violation(s) of this local law, and to seek recovery of any and all damages incurred as a result of noncompliance with 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

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.

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** 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. 197 - 2021
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 4 - 2021), COUNTY OF LEWIS**

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

WHEREAS, a proposed Local Law entitled “THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY WHERE THE TOWN HAS OPTED IN” was presented and introduced at a meeting of this Board of Legislators held on September 7, 2021;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on October 5, 2021, 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 Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 198 - 2021
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO EXEMPT EMPLOYEES OF LEWIS COUNTY**

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

WHEREAS, pursuant to Resolution No. 195-2020, Lewis County Board of Legislators adopted an Exempt Employee Compensation Policy, inclusive of steps (13) and longevity

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schedules, with a cost of living (COLA) adjustment to be determined by the Board of Legislators if not tied to the CSEA General Unit contract; and

WHEREAS, the CSEA General Union contract terminated December 31, 2020, with no tentative agreement reached to date, despite efforts by the management negotiation team to do so; and

WHEREAS, the committee recommends that the Board of Legislators acknowledge the work and efforts of the exempt county employees, who include administration, department heads, elected officials (except Legislators and the District Attorney), political party appointees, management, and management confidential, by approving: 1) a 2021 three percent (3%) cost of living adjustment for exempt employees, retroactive to January 1, 2021, and 2) by amending the Exempt Employee Compensation Policy to reflect that as of January 1, 2022, any new hires to this category of exempt employees shall not be eligible to participate in the County PPO health plan, but will be eligible to choose to participate in the County's Simply Blue Hybrid or Simply Blue High Deductible Health Insurance Plans, or any other voluntary health plan the County may develop and offer in the future;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the 2021 Compensation Plan for the County of Lewis to provide for a three percent (3%) cost of living adjustment to be added for exempt county employees as established under Resolution 195-2020, retroactive to January 1, 2021.

Section 2. That the Lewis County Board of Legislators directs the Director of Human Resources to amend the Exempt Employee Compensation Policy to include a provision that as of January 1, 2022, any new hires to the exempt employees category shall not be eligible to participate in the County PPO health plan, but will be eligible to participate in the County's Simply Blue Hybrid or Simply Blue High Deductible Plans, or any other voluntary health plan the county may offer in the future.

Section 3. That the Lewis County Board of Legislators directs the Treasurer to make these cost of living compensation adjustments and process any retroactive amounts owing to exempt employees (except for appointed and elected employees requiring a Local Law for adjustments to compensation) in the next available payroll period.

Section 4. That the retroactive cost of living adjustments for elected and appointed exempt employees shall be made after all final dates have expired pursuant to the Local Law required for same.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

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**LOCAL LAW (INTRODUCTORY NO. 5 - 2021)
COUNTY OF LEWIS**

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

**A LOCAL LAW PROVIDING FOR COST OF LIVING INCREASES
FOR CERTAIN EXEMPT EMPLOYEES**

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

SECTION 1.

Commencing and retroactive to January 1, 2021, the Compensation Plan of the County of Lewis shall be amended to provide the following cost of living increases for the following exempt county elected and/or appointed employees to a fixed term of office, to-wit:

APPOINTED OFFICIALS TO FIXED TERMS:

Clerk of the Board	\$ 57,382.00
Commissioner, Department of Social Services	\$ 83,411.00
County Attorney	\$116,061.00
County Manager	\$104,270.00
Director of Human Resources/Personnel Officer	\$ 85,710.00
Director of Real Property Tax Service	\$ 59,019.00
Superintendent of Highways	\$ 81,112.00

ELECTED/POLITICAL APPOINTED OFFICIALS:

Commissioners (2), Board of Elections	\$ 48,155.00 \$ 48,155.00
County Clerk	\$ 64,096.00
County Sheriff	\$ 78,782.00
County Treasurer	\$ 81,370.00

SECTION 2.

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This Local Law is subject to a permissive referendum and shall take effect forty-five (45) days after the adoption hereof and all legal requirements having been met.

**RESOLUTION NO. 199 – 2021
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 5-2021), COUNTY OF LEWIS**

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

WHEREAS, a proposed Local Law entitled “A LOCAL LAW PROVIDING FOR COST OF LIVING INCREASES FOR CERTAIN EXEMPT EMPLOYEES” was presented and introduced at a meeting of this Board of Legislators held on September 7, 2021;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on October 5, 2021, 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 Osborne.

Legislator Kulzer voiced his concern that he originally thought this 3% increase was on top of the step increase and only for the select individuals on the Local Law but after speaking with County Manager Piche he realized that isn't the case.

County Manager Ryan Piche stated that this 3% Cost Of Living Increase (COLA) was for all Management Exempt and Management Confidential employees but certain appointed and elected employees require a Local Law.

County Attorney Joan McNichol pointed out that Resolution 198-2021, which was just adopted, outlines further details of who is eligible for this 3% COLA increase and also states that new employees who are hired on and after January 1, 2022 will no longer be eligible for the PPO Health Insurance Plan, only the other two voluntary health plans.

Legislator Kulzer voiced his opinion that elected officials shouldn't receive this 3% COLA increase, Ryan stated that the Management Exempt Compensation Policy clearly states that elected officials are not eligible for steps or longevity but are eligible for the COLA increase, excluding the District Attorney position.

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The resolution was then adopted on the 7th day of September, 2021.

**RESOLUTION NO. 200 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY AND
SIEMENS INDUSTRIES, INC. FOR LEWIS COUNTY- JEFFERSON
COMMUNITY COLLEGE EDUCATION CENTER**

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

WHEREAS, the County of Lewis desires to enter into an agreement with Siemens Industries, Inc. for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning (HVAC) for the Lewis County-Jefferson Community College Education Center for the period of January 1, 2022 through December 31, 2024; 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 approves the contract with Siemens Industries, Inc. to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the Lewis County-Jefferson Community College Education Center for the period of January 1, 2022 through December 31, 2024 at the following annual costs:

Year 1	1/1/2022 – 12/31/2022	\$19,100.00
Year 2	1/1/2023 – 12/31/2023	\$19,482.00
Year 3	1/1/2024 – 12/31/2024	\$19,870.00

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

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 201 - 2021
RESOLUTION AWARDDING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND HILL HIGH EXCAVATION, LLC
FOR DRIVEWAY REPAIR AT THE LEWIS COUNTY 911 OSCEOLA TOWER SITE**

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

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WHEREAS, the Lewis County Buildings and Grounds Department recently sent out a Request for Proposals for the driveway repair at the Lewis County 911 Osceola Tower Site, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the Director of Buildings and Grounds, Clerk of the Board, and County Attorney were present on August 10, 2021, at 1:00 p.m. to open three (3) bids received in response to the RFP; and

WHEREAS, after review and consideration of the proposals, in accordance with the specifications and scope of work set forth in the RFP, the Director of Buildings and Grounds recommends awarding the bid to Hill High Excavation, LLC, the lowest bidder, at \$35,400.00; and

WHEREAS, the Board of Legislators seeks to award the bid to Hill High Excavation, LLC and authorizes 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 Hill High Excavation, LLC, 9595 County Route 9, Clayton, NY 13624 to repair the driveway at the Lewis County 911 Osceola Tower Site, 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 \$35,400.00 to be completed prior to October 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 and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 202 - 2021
RESOLUTION TO ACCEPT GRANT AND APPROPRIATE FUNDS
Board of Elections**

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

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WHEREAS, the Lewis County Board of Elections has been awarded NYS grant funds in the amount of \$28,118.33 from New York State Board of Elections under the project Technology Innovation and Election Resource (TIER) Grant Program for the term beginning April 7, 2021 through January 27, 2023; and

WHEREAS, the Lewis County Board of Legislators wishes to accept the grant and enter into the 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 Lewis County Board of Elections and the New York State Board of Elections for the Technology Innovation and Election Resource (TIER) Grant Program in the amount of \$28,118.33.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Commissioners of the Lewis County Board of Elections to execute and enter into the Grant Agreement or other documents which may be required to give effect to receipt of these grant funds.

Section 3. That the following budget appropriation is hereby approved in the Lewis County Board of Elections accounts for grant funding for the project TIER Grant Program:

Increase Revenue:

A0145000 330005 State Aid \$28,118.33

Increase Expenditure:

A0145000 440700 Election Supplies \$28,118.33

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 203 - 2021
RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 2
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT
AND ENGINEERING SERVICES OF BARTON & LOGUIDICE
(HIGHMARKET ROAD OVER NORTH BRANCH SUGAR RIVER)**

Introduced by Legislator Jerry King, Chair 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

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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. The Board also authorized Supplemental Agreement No. 1 pursuant to Resolution No. 28-2020 for additional services for the Preliminary Engineering/Design and Construction Phases in the amount of \$166,000 for this bridge project; and

WHEREAS, the Lewis County Highway Department desires to have B&L provide additional professional engineering and consultant services required for the project and as set forth in the Supplemental Agreement No. 2 for the Construction Phase of this bridge project (PIN 775374; BIN 3340360); and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes Supplemental Agreement No. 2 between the County of Lewis, by and through the Lewis County Highway Department, and Barton & Loguidice for additional professional engineering and consultant services provided in the Construction Phase in the amount of \$6,000.

Section 2. That the term of this Agreement with the Supplements is from December 23, 2019 through December 31, 2021, at a revised maximum amount not to exceed \$351,000.00 (80% eligible for federal funds, 15% for state 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 the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 204 - 2021
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

Introduced by Legislator Richard Chartrand, Hospital Board of Managers’ representative.

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BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby recommends re-appointment of Michael F. Young of Lowville, NY, as a member of the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence January 1, 2022 and expire on December 31, 2026.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 205 - 2021
AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT
TO AN ACTION RELATING TO THE OPIOID CRISIS**

Introduced by Thomas A. Osborne, Chair of the Finance & Rules Committee.

WHEREAS, there is pending the matter of County of Suffolk v. Purdue Pharma L.P., et al., under Index No. 400001/2017 in the Supreme Court, Suffolk County, regarding the opioid addiction crisis, in which the County of Lewis is a named plaintiff in the action (the "Action"); and

WHEREAS, the case is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS, the case alleges several causes of action against defendants Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc. and Janssen Pharmaceutica, Inc. ("J & J") based on claims that J & J contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and generally through various "front groups", and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in Lewis County; and

WHEREAS, J & J has offered to settle the County of Lewis's claims against it by paying the sum of between approximately \$62,577.57 (Worst Case Scenario Value) and \$146,041.98 (Best Case Scenario Value), over ten (10) years to be used for restitution and abatement, and agreeing to not manufacture, sell or promote opioids; and

WHEREAS, the NYS Attorney General's Office has approved the settlement agreement and subdivision election and release Agreement; and

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WHEREAS, it is in the best interest of the County of Lewis to resolve this matter with respect to J & J without further litigation and enter into the proposed Agreement as it shall settle all allegations against J & J and avoid protracted litigation;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators approves the terms and conditions set forth in the Janssen New York State-Wide Opioid Settlement Agreement between Janssen, the State of New York, and the Participating Subdivisions, of which the County of Lewis is one.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Board, or the Vice-Chairman in his absence, to execute the New York Opioid Settlement Sharing Agreement and the New York Subdivision Election and Release Form, and any other documents as may be necessary and appropriate to effectuate the settlement with J&J, upon review by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 206 - 2021
AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT
WITH CERTAIN DISTRIBUTORS TO AN ACTION
RELATING TO THE OPIOID CRISIS**

Introduced by Thomas A. Osborne, Chair of the Finance & Rules Committee.

WHEREAS, there is pending the matter of County of Suffolk v. Purdue Pharma L.P., et al., under Index No. 400001/2017 in the Supreme Court, Suffolk County, regarding the opioid addiction crisis, in which the County of Lewis is a named plaintiff in the action (the "Action"); and

WHEREAS, the case is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS, the case alleges several causes of action against defendants McKesson Corporation, Cardinal health, Inc., AmerisourceBergen Drug Corporation, PSS World Medical, Inc., Kinray, LLC, Belco Drug Corporation, and American Medical Distributors, Inc. (the "Distributors"), based on claims that the Distributors contributed to the opioid epidemic by failing to comply with their obligations under the federal Controlled Substances Act and the New York Controlled Substances Act to implement adequate measures to prevent diversion of the

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prescription opioids they distributed to pharmacies and others in Lewis County, all of which contributed to a public health crisis in the County; and

WHEREAS, the NYS Attorney General's Office has entered into a settlement agreement with the "Big 3" Distributors and their affiliates, and is being offered to all political subdivisions in New York in order to resolve all governmental claims in the State against these Defendants. If all incentives are met under the payment provisions of the Agreement, these Defendants have agreed to pay out a total of \$1,000,132,092 billion to New York State in 18 annual payments. Approving the settlement agreement reached also requires approval by the County as a subdivision of the State, to accept the settlement distribution term sheet and release Agreement; and

WHEREAS, under the terms of the proposed settlement, and assuming all incentives under the payout terms are met, the payments to Lewis County will total over \$658,999.43 over the eighteen (18) years. The County's claims against this class of Defendants would be settled by paying the sum of \$373,056.66 (Worst Case Scenario Value) and \$658,999.43 (Best Case Scenario Value), over eighteen (18) years to be used as described in the Settlement Terms, and with the Defendants agreeing to implement injunctive relief under a controlled substance monitoring program; and

WHEREAS, it is in the best interest of the County of Lewis to resolve this matter with respect to the Distributors without further litigation, and enter into the proposed Agreement as it shall settle all allegations against the Distributors and avoid further protracted litigation;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators approves the terms and conditions set forth in the Distributors New York State-Wide Opioid Settlement Agreement between the Distributors, the State of New York, and the NYS Participating Subdivisions, of which the County of Lewis is one.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Board, or his designee, to execute the proposed Settlement Agreement with the named Distributors, to execute the Subdivision Settlement Participation and Release Form and New York Settlement Sharing Agreement, and any other documents as may be necessary and appropriate to effectuate the settlement with the Distributors, upon review by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 207 - 2021
RESOLUTION TO TRANSFER FUNDS**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Law Department

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

WHEREAS, by motion at the July 6, 2021 Board of Legislators meeting, the Board authorized an agreement with Larsen Engineers to provide professional consulting and analysis on the production levels from the County's solar array, with determination of any outstanding monies which may be due to the County from the solar developer, Greenskies and/or National Grid, at a cost of \$5,000.00; and

WHEREAS, in order to compensate Larsen for its professional services, the funds must be appropriated from the Legislative Special Contingency account by resolution;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following 2021 budget transfer is hereby approved in the Law Department accounts for professional consulting and analysis services by Larsen Engineers on the production levels and payments pertaining to the County's solar array utilizing Legislative Special Contingency:

Transfer From:

A0101000 419900 BOL SplCtg	\$5,000.00
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Transfer To:

A0142000 490400 Law Expert	\$5,000.00
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Section 2. That the within shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 208 - 2021
RESOLUTION AUTHORIZING AGREEMENT AND ACCEPTANCE OF 2021 STATE
ECONOMIC & INFRASTRUCTURE DEVELOPMENT GRANT AWARD AND
APPROPRIATING FUNDS**

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

WHEREAS, pursuant to the Resolution No. 105-2021, the Lewis County Board of Legislators authorized an application to the Northern Border Regional Commission (NBRC) for a 2021 State Economic & Infrastructure Development (SEID) award pertaining to a comprehensive telecommunication infrastructure project and plan for Lewis County; and

WHEREAS, the Planning Department received notification from the NBRC that the County was awarded \$263,053.00 toward its \$328,816.00 project, with the County's

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commitment to meet the 20% local match. The NBRC received 156 applications for funding across the four (4) eligible border states, with only 44 applications selected; and

WHEREAS, it is requested that the Lewis County Board of Legislators authorize the Agreement and appropriate these funds;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an agreement with NBRC for the 2021 SEID grant funding of \$263,053.00 with a commitment of \$65,763.00 toward the local share match for the telecommunication infrastructure project and plan developed by the Planning Department.

Section 2. That the following budget appropriation be approved in the Planning Department accounts to accept the SEID grant funds:

Increase Revenue:

H0168000 340890 Federal Revenue	\$263,053.00
Project HEB	

Increase Expense:

H0168000 499900 Contractual	\$263,053.00
Project HEB	

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such Agreement, amendments, extensions, and all other required documents necessary to carry out the terms of this Resolution, upon review and approval of the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 209 - 2021
RESOLUTION TO ACCEPT GRANT AND APPROPRIATE FUNDS
Planning Department**

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

WHEREAS, pursuant to Resolution No. 44-2021, the Lewis County Board of Legislators authorized an application and agreement for NYS grant funds in the amount of \$200,000.00 for small business loans/grants under 2020 Community Development Block Grant (CDBG Project No. 636ME980-21); and

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WHEREAS, the Planning Department has been awarded the grant and requests the budget appropriations for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Planning Department/Special Grant fund accounts for funding for a NYS CDBG Microenterprise grant:

Increase Revenue:

CL868000 349121 2021 IDA Microenterprise	\$200,000.00
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Increase Expenditure:

CL868800 490121 2021 Microenterprise Exp	\$200,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 210 - 2021
RESOLUTION AUTHORIZING FAÇADE & STREETScape
IMPROVEMENT PROGRAM AND TRANSFER OF FUNDS**

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

WHEREAS, the County of Lewis, by and through the Planning Department, desires to have the County invest \$450,000.00 of the American Recovery Plan stimulus funds in a three-year project to invest in the County's downtown corridors and public spaces; and

WHEREAS, the County's downtown districts and public spaces are central to community gatherings, special events and the success of small businesses. This program aims to revitalize the historic character and attractiveness of villages and hamlets in Lewis County through public and private investment; and

WHEREAS, the Façade & Streetscape Improvement Program (FSIP) Project will provide 75% in funding for eligible improvements to mixed-use and commercial buildings and properties, and streetscape enhancements in all the villages and hamlets in Lewis County, with a 25% investment in matching funds provided by the applicant/property owner; and

WHEREAS, this investment will serve to help business growth and retention, enhance tourism, increase spending in the local communities, and reduce the number of blighted and vacant properties. In addition, this Project will advance specific goals and action items outlined in "Policy Area 4: Community Resources & Housing" in the Lewis County Comprehensive Plan, i.e., Action Item # 9: "Develop a sample set of village center design guidelines, addressing streetscape design, signage, access management,...", and Action Item # 11: "Continue to support

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façade improvement programs so commercial building owners can receive matching grants for renovations...”; and

WHEREAS, in its description of the project, the Planning Department has suggested the formation of a five-member (minimum) review committee comprised of representation from the Department of Planning, IDA-Naturally Lewis, Lewis County Historical Society, County Manager, and Board of Legislators. In addition, the Department of Planning will partner with the IDA-Naturally Lewis team to market the program and lead day-to-day oversight of project implementation; and

WHEREAS, the project budget proposal will have two (2) funding cycles (\$250,000.00 in 2021, \$200,000.00 in 2022) to help capture new businesses and provide more opportunities for participation. Recipients will have twelve (12) months after award notice to complete the project, barring exceptional circumstances. Upon approval of the Board of Legislators, **Round 1** will open in September, 2021 with expected award notifications on or about December 1, 2021; **Round 2** will open on September 2, 2022 with award notification on or about December 2, 2022; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this project and the \$450,000.00 funding for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the Planning Department’s three-year “Façade & Streetscape Improvement Program” Project in the amount of \$450,000.00, with 75% funding of eligible improvements to mixed-use and commercial buildings and properties, and streetscape enhancements in all the villages and hamlets in Lewis County.

Section 2. That the Lewis County Board of Legislators authorizes and directs the funding for this Project to come from the County’s American Recovery Plan funds.

Section 3. That the following budget transfers are hereby approved utilizing Capital Reserve Account HAZ – American Rescue Plan Act:

Transfer from:

H0 162000 340890 ARPA General Revenue	\$250,000.00
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Transfer to:

H0 172000 340890 ARPA Program Revenue	\$250,000.00
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Transfer from:

H0 162000 499900 ARPA General Expenditures	\$250,000.00
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Transfer to:

H0 172000 499900 ARPA Program Expenditures	\$250,000.00
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Section 4. That the Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to execute any and all agreements and documents the County Attorney determines to be necessary to give effect to this Project.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 211 - 2021
RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND CHAZEN, A LABELLA COMPANY
FOR HOUSING NEEDS ASSESSMENT AND MARKET ANALYSIS**

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

WHEREAS, the Lewis County Planning Department recently sent out a Request for Proposals to qualified vendors to complete a county-wide Housing Needs Assessment and Market Analysis, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the Director of Planning and associate, County Attorney and member of the Board of Legislators were present on August 11, 2021, at 2:00 p.m. to open bids received and considered the five (5) responses to the RFP; and

WHEREAS, after detailed review and consideration of the proposals, the Director of Planning recommends awarding the bid to Chazen, A LaBella Company, of Glens Falls, NY, whose bid included conducting an in-person public workshop as requested in the RFP, plus a housing dashboard which will be beneficial to the project. When all deliverables and components were compared and factored into the analysis, in accordance with the specifications and scope of work set forth in the RFP, Chazen's bid proposal provides the services in the best interest of the County and this project, and would render their proposal to be the lowest bid; and

WHEREAS, the Board of Legislators seeks to award the bid to Chazen A. LaBella Company and authorizes 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 Chazen, A. LaBella Company, with offices at 20 Elm Street, Suite 10, Glens Falls, NY 12801 to complete a county-wide Housing Needs Assessment and Market Analysis, in accordance with the specifications and requirements set forth in the RFP.

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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 \$ 49,744.00, to be completed by April 30, 2022.

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

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 212 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
COUNTY OF LEWIS AND NEW YORK STATE HOUSING
TRUST FUND CORPORATION (CDBG PROJECT GRANT NO. 636HO133-20)
WITH SNOWBELT HOUSING AS SUB-RECIPIENT ADMINISTRATOR**

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 development activities (NYS CDBG Project # 636HO133-20); and

WHEREAS, the County was awarded \$377,239.00 in NYS Community Block Grant funds for owner and renter occupied housing rehabilitation;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves a Grant Agreement between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive \$377,239.00 in Community Development Block Grant funds.

Section 2. The Board of Legislators hereby authorizes and approves Snowbelt Housing Company, Inc. to serve as administrator of these grant funds and as the County’s sub-recipient of the Grant.

Section 3. That the following budget appropriation be approved in the Special Grant fund account to utilize funds from the Community Development Block Grant (NYS CDBG Project # 636HO133-20):

Increase Revenue:

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CL868800 349103 Snowbelt Housing CDBG \$377,239.00

Increase Expenditure:

CL868800 490100 Snowbelt Housing CDBG \$377,239.00

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 213 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
COUNTY OF LEWIS AND NEW YORK STATE HOUSING
TRUST FUND CORPORATION (CDBG PROJECT GRANT NO. 636HR134-20)
WITH SNOWBELT HOUSING AS SUB-RECIPIENT ADMINISTRATOR**

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. 636HR134-20); and

WHEREAS, the County was awarded \$610,064.00 in NYS Community Development Block Grant funds to address housing rehabilitation;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves a Grant Agreement between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive \$610,064.00 in Community Development Block Grant funds.

Section 2. The Board of Legislators hereby authorizes and approves Snowbelt Housing Company, Inc. to serve as administrator of these grant funds and as the County's sub-recipient of the Grant.

Section 3. That the following budget appropriation be approved in the Special Grant fund account to utilize funds from the Community Development Block Grant (NYS CDBG Project # 636HR134-20):

Increase Revenue:

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CL868800 349103 Snowbelt Housing CDBG \$610,064.00

Increase Expenditure:

CL868800 490100 Snowbelt Housing CDBG \$610,064.00

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 214 - 2021
RESOLUTION TO AUTHORIZE AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND NYS DEPARTMENT OF
HEALTH TO ACCEPT PUBLIC HEALTH CORPS FELLOWSHIP PROGRAM
FUNDING, CREATE THE POSITIONS, AND APPROPRIATE FUNDS**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Public Health Agency (“PH”) was informed by NYS DOH that the county is eligible to receive funding support for the NYS Public Health Corps (NYSPHC) Fellowship Program through Health Research Inc (HRI/NYSDOH), in the total amount of \$548,752.00 over the next two (2) years (\$274,376.00 annually). The PHC program was established to build public health capacity to support COVID- 19 response operations and to increase preparedness for future public health emergencies; and

WHEREAS, the NYSDOH is working with Local Health Departments and community partners to recruit and deploy NYSPHC fellows across the state who will commit to a full-time, paid position for at least a one-year term; and

WHEREAS, according to the indicators used by NYSDOH for this funding, Lewis County’s \$548,752.00 in eligible two-year funding may support up to three (3) fellows annually, with a scope of work /program deliverables developed by NYSPHC; and

WHEREAS, the Director of the Lewis County Public Health Agency seeks to participate in this program, and requests that the Lewis County Board of Legislators authorizes the Agreement, accepts the funding, and creates the positions identified by the Director under the NYSPHC Fellowship program expectations and descriptions in an effort to help address local public health needs and workforce over the next two years;

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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency and the NYS Department of Health through HRI/NYSDOH, to accept the eligible funding of \$548,752.00 for two years (\$274,376.00 annually), for up to three (3) annual fellows who will commit to full-time, paid positions under PH, for at least one-year terms, as described and identified under the Fellowship Program requirements, subject to compliance with Civil Service requirements; and

Section 2. That upon receipt of the Agreement and scope of work/deliverables under the Program, the Lewis County Treasurer is directed to make the following appropriations:

Increase Revenue:

A0409700 33007 NYS HRI Covid	\$548,752.00
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Increase Expense:

A0409700 110100 Personal Services	\$300,728.00
A0409700 801000 Retirement	\$40,298.00
A0409700 803000 Social Security	\$21,906.00
A0409700 806000 Health Insurance	\$123,380.00
A0409700 807000 Dental Insurance	\$4,942.00
A0409700 804000 Workers' Comp	\$6,602.00
A0409700 490900 Miscellaneous	\$50,896.00

Section 3. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Public Health Department to create the following grant funded positions, subject to any Civil Service requirements, effective immediately:

<u>TITLE</u>	<u>STATUS</u>	<u>GRADE/SALARY</u>
Public Health Specialist (2)	Full-Time	Grade 29 (\$24.23 - \$26.19)
Senior Account Clerk (1)	Full-Time	Grade 19 (\$18.52 - \$20.01)

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, any amendments or extensions, and other documents as may be required or necessary to give effect to this Resolution, upon review and approval by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

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**RESOLUTION NO. 215 - 2021
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 & PARKS DEPARTMENT TO
PARTICIPATE IN BOCES INTERNSHIP PROGRAM**

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. BOCES students must be properly supervised by BOCES personnel at all times, with BOCES being solely and fully liable for any and all claims associated with said activities.

Section 2. That the term of this Agreement shall be from September 1, 2021 and continue through August 31, 2022, with annual renewal upon mutual written agreement.

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Section 3. That the LCRFP Department is authorized to participate in the Internship Program, provided there is no cost to the County and provided that BOCES is fully insured for such activity and will indemnify and hold the County harmless with respect to any and all claims by its participants.

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.

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 216 - 2021
RESOLUTION AUTHORIZING SNOWMOBILE TRAILS 2021-2022
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:

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Section 1. That the Lewis County Board of Legislators authorizes submission of the 2021-2022 Snowmobile Trails Grant-In-Aid Application through the Director of Recreation, Forestry & Parks.

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 Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 217 - 2021
RESOLUTION TO INCORPORATE 7.5 MILES OF COUNTY OWNED FORESTRY
PROPERTY INTO THE LEWIS COUNTY OHV TRAIL SYSTEM**

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

WHEREAS, the Lewis County Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate Off-Highway Vehicles ("OHV's"), (as defined in Local Law No. 3-2019) 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, 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 January 29, 2009, issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2 – 2009, "**A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**", as subsequently amended and re-stated in Local Law No. 3-2019, "**A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**" (herein, "Local Law"); and

WHEREAS, the Local Law and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular,

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the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add a proposed addition of 7.5 miles of multi-use trails to the Lewis County OHV Trail System pertaining to Lewis County owned forestry properties. The proposed trails are located in the Town of Greig, which include the following parcels:

Parcel No.: 292.00-02-27.000 - North of Abbey Road, North and South of Beals Road
Parcel No.: 292.00-02-23.000 - North of Abbey Road, East of Fowlerville Road
Parcel No.: 292.00-02-22.000 - North of Abbey Road, East of Fowlerville Road
Parcel No.: 308.00-01-05.000 - South of Abbey Road, West of Fowlerville Road
Parcel No.: 308.00-01-06.000 - South of Abbey Road, East of Fowlerville Road
Parcel No.: 308.00-01-07.000 - South of Abbey Road, East of Fowlerville Road; and

WHEREAS, pursuant to Resolution No. 185-2021, completed its review under SEQRA with respect to the properties and trails identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, found and determined that adding these properties and trails to the Lewis County Trail System will not result in a significant environmental impact;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby deems the trails located on the above referenced Lewis County owned forestry properties in the Town of Greig, parcel numbers 292.00-02-27.000, 292.00-02-23.000, 292.00-02-22.000, 308.00-01-05.000, 308.00-01-06.000, and 308.00-01-07.000, as more fully described in the Statement prepared by the Soil and Water Conservation District, are hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Lewis County Board of Legislators hereby authorizes the addition of the 7.5 miles of multi-use trails to the Lewis County OHV Trail System pertaining to Lewis County owned forestry properties and authorizes amendment of the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trails described herein, together with such other and further actions as may be necessary to administer and maintain such trails consistent with the Lewis County OHV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 3-2019.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 218 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN**

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**THE COUNTY OF LEWIS AND
NYS DIVISION OF HOMELAND SECURITY FOR PSAP GRANT
AND APPROPRIATING THE FUNDS**

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

WHEREAS, the New York State Division of Homeland Security and Emergency Services awarded the County of Lewis the sum of \$227,334.00 under the NYS 2020-21 Public Safety Answering Points Operations Grant Program (2020-21 PSAP Grant). The funding is awarded to assist counties with eligible public safety call-taking and dispatch expenses which occur within the twelve-month period from January 1, 2021 – December 31, 2021; and

WHEREAS, the 2021 budget included the sum of \$165,000.00 as an estimate for this expected award, now requiring the appropriation of the additional \$62,334.00 awarded and the authority to enter into the Agreement for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators approves an Agreement between the County of Lewis and the New York State Division of Homeland Security and Emergency Services to accept grant award funds of \$227,334.00 for the Public Safety Answering Points Grant Program (2020-21 PSAP Grant) for eligible public safety call-taking and dispatching expenses.

Section 2. That the performance period for said eligible expenses covers January 1, 2021 to December 31, 2021.

Section 3. That the following budget appropriation be approved in the E911 Accounts for these additional PSAP grant funds:

Increase Revenue:

A0302000 331400 PSAP	\$ 62,334.00
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Increase Expenditure:

A0302000 290900 Misc Equipment	\$ 62,334.00
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Section 4. That the following budget transfers be approved in the E911 Accounts:

From:

A0302000 110100 Personal Services	\$ 24,500.00
A0302000 496600 Prof Services	\$ 46,000.00

To:

A0302000 290900 Misc. Equip	\$ 70,500.00
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Section 5. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement, and any amendments, addenda or appendices required under said funding, pending review and approval by the County Attorney.

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

Moved by Legislator Kulzer , seconded by Legislator Virkler , and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 219 - 2021
RESOLUTION AUTHORIZING AN EXTENSION
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND
ICU SECURITY & PRIVATE INVESTIGATIONS FOR
ARMED SECURITY GUARD SERVICES AT THE
DEPARTMENT OF SOCIAL SERVICES BUILDING**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the County of Lewis, on behalf of the Lewis County Department of Social Services (“DSS”), entered into an agreement dated September 2, 2020 with ICU Security & Private Investigations (“ICU”) pursuant to Resolution No. 241-2020, for armed security guard services for the DSS building located on Outer Stowe Street, Lowville, NY; and

WHEREAS, this was 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; and

WHEREAS, DSS desires to extend the agreement for one year commencing November 1, 2021 through October 31, 2022, at the same not to exceed cost, but with acknowledgment of the change in the NYS Department of Labor prevailing wage rates effective July 1, 2021; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a one-year extension Agreement between the County of Lewis, by and through the Lewis County Department of Social Services, with ICU Security & Private Investigations for armed security guard services for the DSS building located on Outer Stowe Street, Lowville, NY.

Section 2. That the term of the Agreement shall be from November 1, 2021 through October 31, 2022, at a cost not to exceed \$82,836.75. DSS will receive 75% reimbursement of this expense through Federal and State funding sources, with the local County share being 25%.

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

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

Moved by Legislator Kulzer , seconded by Legislator Virkler , and adopted on the 7th day of September, 2021.

RESOLUTION NO. 220 - 2021
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
MELISSA M. MAINE, LCSW-R

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Department of Social Services (“DSS”) requires Qualified Individuals (QI), for the purpose of conducting assessments of youth in foster care in accordance with the federal Family First Prevention Services Act (FFPSA) and corresponding New York State standards; and

WHEREAS, FFPSA requires an assessment of a child by a QI who is a licensed clinician for a child to enter certain types of residential placements within thirty (30) days of a child being placed in a New York State Qualified Residential Treatment Program (QRTP) setting; and

WHEREAS, Melissa M. Maine, LCSW-R, has the expertise and meets the requirements to provide these services as a QI and DSS desires to enter into an agreement to conduct these assessments;

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 Melissa M. Maine, LCSW-R, a Qualified Individual, to conduct assessments on children being placed in a New York State Qualified Residential Treatment Program as required by the Department of Social Services.

Section 2. That the term of this Agreement shall commence October 1, 2021 and remain in effect unless and until terminated by either party for any reason upon thirty (30) days prior written notice to the other party.

Section 3. That the fee is \$50.00/hour and time will be billed based on the quarter hour.

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Services for any activity to complete the assessment may include driving time to and from interviews, interview time, phone calls, record reviews and completion of all necessary documentation and reports. Mileage will be billed at the current IRS mileage rate. If clinician is required to attend any legal meetings or proceedings, services will be billed at a rate of \$200/hour.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver the Agreement, and any extensions thereto, pending approval by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 221 - 2021
RESOLUTION AUTHORIZING AMENDMENT (CHANGE ORDER NO. 2)
TO AGREEMENT BETWEEN THE COUNTY OF LEWIS AND C&S TECHNICAL
RESOURCES, INC. FOR GENERAL CONTRACTING SERVICES UNDER THE
LOWVILLE SOLID WASTE TRANSFER STATION UPGRADE PROJECT**

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

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department, entered into an agreement with C&S Technical Resources, Inc., (“C&S”) to provide general construction services as outlined in the RFP for transfer station renovations/improvements, at a cost of \$1,233,000.00; and

WHEREAS, pursuant to Resolution No. 136 -2021, the Board of Legislators authorized an increase to the contract for material costs, bringing the total contract to \$1,255,785.00; and

WHEREAS, due to grade changes required for the transfer station, both the Project Engineer and the construction contractor, C&S, seek a second change order to the C&S contract in the amount of \$123,861.10 for the following:

- | | |
|---|-----------------|
| a. concrete arch pipe culvert, DOT Requirements for driveway permit - | \$18,162.10 |
| b. Lower loadout floor and insulate foundations | 37,431.90 |
| c. Increase in segmental retaining wall height & length | 65,225.60 |
| d. Additional site work to lower storage tank | <u>3,041.50</u> |
| Change Order No. 2 Sub-Total | \$123,861.10 |

The total, revised contract amount is \$1,379,646.10; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize Change Order No. 2 to the agreement with C&S;

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators authorizes Change Order No. 2 to the contract with C&S Technical Services, Inc., for general construction services at the Lowville Transfer Station project, as outlined above due to grade changes required.

Section 2. That the Lewis County Board of Legislators authorizes said amendment/change order for identified construction costs and services at an additional cost of \$123,861.10, thereby increasing the total contract cost to \$1,379,646.10.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Amendment/Change Order, 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 Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 222 – 2021
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	Term Begins/Ends	Days/Month
Elected Officials				
Appointed Officials				
Deputy Election Commissioner	Michelle Widrick	7	4/12/2021 – 12/31/2022	21.67

Moved by Legislator Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 223 - 2021
RESOLUTION SETTING 2022
WORKERS' COMPENSATION APPORTIONMENT**

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FOR LEWIS COUNTY SELF-INSURANCE PLAN

Introduced by Legislator Thomas Osborne, Chair 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 2022 workers' compensation participant assessments of the Lewis County Self-Insurance Plan; et al 50% of the assessment shall be apportioned to claims experience based on actual expenses in 2018, 2019 and 2020, hereby capped at \$50,000 for any one claim per annum; 30% shall be based on proportionate 2020-2021 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 Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

**RESOLUTION NO. 224 - 2021
RESOLUTION APPROVING
2021 RESOURCE ALLOCATION PLAN
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Andrea Moroughan, Chair of the Health & 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 2021 Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family

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Services (“OCFS”) for the 2021 program year in the amount of \$46,399.00, including Safe Harbour funding.

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 Kulzer, seconded by Legislator Virkler, and adopted on the 7th day of September, 2021.

OTHER BUSINESS:

At 5:46 p.m. Legislator Moroughan made a motion to enter executive session, with County Attorney Joan McNichol clarifying it was for discussion on property negotiations and legal matters pertaining to the Lewis County Health System, seconded by Legislator Osborne and carried.

At 7:06 p.m. Legislator Hathway made a motion to enter regular session, seconded by Legislator Chartrand and carried.

Legislator Gilbert made a motion to authorize County Attorney Joan McNichol to draft the appropriate documents to release JCC under the existing lease and to enter into 2 new separate leases, one with JCC and one with BOCES, so long as the total annual amount payable by both entities is equal to what JCC paid to the County under the current lease, seconded by Legislator Chartrand and carried.

There being no other business to come before the board Legislator Moroughan made a motion to adjourn at 7:08 p.m., seconded by Legislator Chartrand and carried.

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**REGULAR MEETING
October 5, 2021**

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

Roll Call: 8 Legislators were present, Legislators Burns and Moroughan had been excused. There were 19 other persons in attendance.

Legislator Hathway gave the invocation. Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the September 7, 2021 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
Ian Gilbert
Gregory Kulzer
Philip Hathway

Dated: October 5, 2021

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

PRIVILEGE OF THE FLOOR:

At 5:02 p.m. Chairman Dolhof opened the public hearings on the following:

- Local Law Intro. No. 3-2021 “A Local Law Amending and Replacing Local Law No. 10-2019 – The County of Lewis Junkyard Law”
- Local Law Intro. No. 4-2021 “The Amended Local Law Regulating and Permitting Special Events on County Roads, Trails or other County Property and on any Town Roads and Property where the Town has Opted In”
- Local Law Intro. No. 5-2021 “A Local Law Providing for Increases to Salaries for Certain Local Officials”
- Ordering Immediate Site Clean Up, Removal of Unsafe and Contaminated Burned Building Debris, and Backfill of the Former Brick Block Building, Turin, NY Property

Mr. John DeGuardia, owner of Timber View Resort in Turin NY, came forward to comment on the Local Law Intro. No. 4-2021. He stated that this amended local law brings the number of participants of an event from 250 down to 50 as a threshold of when a permit is required and feels that is ridiculous. At any given time, there are many establishments on Tug Hill that have more than 50 people. There are times when a snowmobile club will call and question if there is enough room for them at the Timber View because they just want to take a ride together, which is not an organized event. This local law is only hurting the hospitality

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industry in Lewis County and will eventually push people out of business. John went on to agree that this local law is needed for large events like SNIRT but not for a threshold of 50 people.

The businesses that rely on recreation will not be able to make it just on snowmobile season alone, there needs to be more attention to the revenue that ATVs are bringing in. John stated that the event that happened in April was not a normal thing, it was only done because SNIRT wasn't happening. Recreation is a huge part of this county and the organizers of SNIRT were tired of dealing with local government and due to the pandemic decided not to hold the event.

The April event had more than 250 people but wasn't originally on any county roads, therefore didn't require a permit. It wasn't until the day before the event that the trails were opened on the bottom of the hill. Individuals already have to pay a permit fee to ride the trails and roads, so this is double dipping to make someone pay for event permit to utilize those same roads. The amount of revenue brought into the county for that one weekend was significant.

If Snowmobile and ATV clubs must pay for event permits, they won't be able to continue to maintain trails, which is needed in order to draw snowmobilers into this area. Most of the events are to raise money for good causes and now the county wants to make them pay a fee. The insurance requirement is the main problem because most of the individuals riding already have their own insurance, but it can be quite costly to obtain insurance for an event. Damage is a problem no doubt, but you have to balance that with the amount of revenue that is brought into these areas. You can look at it as a cost of doing business.

John voiced his concern that the trust has been lost between businesses and the Board of Legislators. He is here to represent all the local recreation businesses; they are too tired to deal with this anymore. He stated that he was in Albany 7 times to advocate for registering UTV but only one time did a legislator go.

Chairman Dolhof stated that the time limit is 5 minutes but stated that John could take a few minutes to finish. John welcomed any legislator to reach out to him to talk further about this. He has reached out to the County Manger several times through phone messages and email and never received any response. He felt strongly that the Legislators are not doing enough to help with recreation in the county.

He stated that he received a fine in the mail for \$750.00 due to the event in April. He showed up a few days after the event and gave Recreation, Forestry & Parks Director Jackie Mahoney a check for \$500.00 as a donation. He heard there was a vote from the board to fine him and he wanted to know if that was true. Chairman Dolhof stated that this is a public comment period and not meant for discussion, so anyone can state their comments, but the board will not engage in a discussion.

County Attorney, Joan McNichol welcomed Mr. DeGuardia to follow up with her office for clarification on the matter. John went on to state that the \$500.00 donation to the trail fund was taken by the county and that action was illegal according to his attorney. If he doesn't get

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his answers, he threatened to take legal action. He refused to speak with the county attorney about this matter.

Chairman Dolhof clarified that you cannot give your allotted 5 minutes to another individual to continue to address the board. If anyone would like to make their comments, they will be given 5 minutes to do so.

Steven Kraeger questioned who the officials were that were getting the raises per the local law intro., Chairman Dolhof again stated that this is not a discussion period, it is a comment period. Steve then stated that this county is in a bad financial place, and no one should get a raise.

Legislator Chartrand voiced his concern that the county has a policy that requires individuals to wear masks in the building and he would appreciate if everyone would abide by that. There was a gentleman in the audience that refused stating that it was not a law. County Attorney, Joan McNichol stated that there is a county policy that requires attendees to wear a mask and that if he wouldn't he needed to leave. Another gentleman in the audience stated that he had a medical condition and couldn't wear a mask. Legislator Osborne stated that he has a medical condition but still wears a mask.

County Attorney, Joan McNichol made a statement about the Brick Block Building in Turin citing that the property is comprised of 5 tax parcels, two of them are already in tax foreclosure. She then went on to give the timeline of events that led to the emergency public hearing tonight on ordering the immediate site clean-up, removal of unsafe and contaminated burned building debris, and backfill of the property. All parties were served notice of this hearing. Any costs associated with this clean-up will be put on the property taxes of said property.

Legislator Chartrand stepped out of the meeting at 5:25 p.m.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the monthly Treasurer's report, Highway & Solid Waste September Audit reports, and the Quarterly Bed Tax Report. Brian Mooney submitted the August Sealer of Weights & Measures activity report which has been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne made a motion to authorize County Clerk, Jake Moser to refill one (1) full-time Motor Vehicle Application Examiner position effective immediately, seconded by Legislator Kulzer and carried.

Legislator Osborne made a motion to authorize Real Property Tax Director, Candy Akin to refill one (1) full-time Senior Keyboard Specialist position effective immediately due to resignation, seconded by Legislator Hathway and carried.

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Legislator King made a motion to authorize Solid Waste Director, Kip Turck to refill one (1) part-time MEO Medium position effective immediately, seconded by Legislator Virkler and carried.

Legislator King made a motion to authorize Planning Director, Casandra Buell to send out an RFP on the Old Jail/Tug Hill Artisan Roasters Main Street Downtown Stabilization grant project for roof repair, lead/asbestos abatement, façade improvements, and elevator installation, seconded by Legislator Virkler and carried. Legislator Gilbert abstained.

Legislator King made a motion to authorize Clerk of the Board, Cassandra Moser to send out an RFP for a Project Manager position, seconded by Legislator Osborne and carried. Legislator Hathway asked that the language in the RFP specify that the services of the Project manager is for the length of the Capital Projects.

Legislator King made a motion to authorize County Attorney Joan McNichol to take necessary steps to sell the property known as the Champion Pit, seconded by Legislator Virkler and carried.

Legislator King made a motion to authorize County Attorney, Joan McNichol to send out an RFP for: 1) an asbestos assessment; 2) structural analysis; or a combination of both on the old Lewis Dairy Property located on State Route 812, seconded by Legislator Virkler and carried.

Legislator Chartrand made a motion to authorize Social Services Commissioner, Jennifer Jones to refill one (1) full-time Secretary to the Commissioner position effective immediately, seconded by Legislator Virkler and carried.

Legislator Chartrand made a motion to authorize Social Services Commissioner, Jennifer Jones to refill one (1) full-time Caseworker position effective immediately due to resignation, seconded by Legislator King and carried.

Legislator Chartrand made a motion to authorize Social Services Commissioner, Jennifer Jones to refill one (1) full-time Fiscal Manager position effective immediately due to pending resignation on 12/31/2021, seconded by Legislator Virkler and carried

Legislator Chartrand made a motion to authorize Social Services Commissioner, Jennifer Jones to refill one (1) full-time Caseworker position effective immediately due to resignation, seconded by Legislator Virkler and carried.

Legislator Chartrand reported that the Lewis County Health System now has 96% of employees vaccinated. There are 5 staff members who have medical exemptions, 22 staff who have religious exemptions, 35 who resigned, and 5 that were terminated.

PRIVILEGE OF THE FLOOR (cont.):

Prior to closing the public hearings Cindy Rizza from New Bremen, NY came forward and clarified that her understanding of the amended Junkyard Law is an application is now

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\$100.00, which was \$50.00 in the past and a four-year junkyard license renewal is now \$500.00, which was \$100.00 in the past.

Chairman Dolhof then closed the public hearings at 5:35 p.m. with no one else wanting to speak.

COUNTY MANAGER REPORT:

County Manager, Ryan Piche reported that the 2022 Budget Workshop will be at the Finance & Rules Committee meeting on Tuesday, October 19th following the Health & Human Services Committee meeting. The other committee agendas will be light that day to give time for discussion of the preliminary budget. The tentative 2022 budget will be presented to Legislators at the Tuesday, November 2nd board meeting. There will be two board meetings held in November and two meeting held in December.

Legislator Hathway inquired whether there would be anything sent out ahead of the Finance & Rules Committee meeting for legislators to review and formulate questions on. Ryan responded that he was hoping to have the Preliminary Capital Budget done soon and he already presented the personnel requests but wasn't sure if there would be anything from the actual 2022 preliminary budget as it is still being worked on.

COUNTY TREASURER REPORT:

County Treasurer, Eric Virkler reported that the proposed tax auction planned for November 4th still hasn't received the court order on judgements so it may be postponed until a later date, possibly next year. Joan McNichol shared her skepticism that it would likely not happen this year however she assured the board that they still have the ability to clean up properties that need to be addressed.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

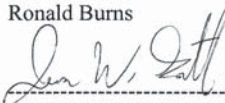
To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,206,974.63 and recommend that they be audited and allowed for the amounts claimed.

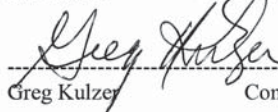


Thomas Osborne Chair

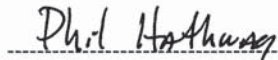
Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: October 5, 2021

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

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**RESOLUTION NO. 225 – 2021
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 \$ 1,206,974.63 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 Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021 by the following roll call vote:

AYES: King, Kulzer, Chartrand, Hathway, Virkler, Gilbert, Osborne, and Dolhof

NAYS: None

ABSENT: Burns and Moroughan

**RESOLUTION NO. 226 - 2021
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2021, 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 September 7, 2021, directing that a public hearing be held by said Board on October 5, 2021 from 5:00 p.m. to 5:30 p.m. to hear all interested parties on a proposed Local Law entitled “A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 10-2019 - THE COUNTY OF LEWIS JUNKYARD LAW”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on September 29, 2021, 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, the public hearing was duly held at such location and time, with 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:

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Section 1. This Local Law (Introductory No. 3-2021), County of Lewis, being “A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 10-2019 - THE COUNTY OF LEWIS JUNKYARD LAW” be and the same hereby is designated as Local Law No. 3–2021, County of Lewis.

Section 2. That Law No. 3–2021, 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 King, seconded by Legislator Virkler, and adopted on the 5th day of October, 2021 pursuant to the following roll call vote:

AYES: Hathway, Chartrand, Kulzer, Osborne, Virkler, Gilbert, King, and Dolhof

NAYS: None

ABSENT: Burns and Moroughan

**RESOLUTION NO. 227 - 2021
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 4 – 2021, 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 September 7, 2021, directing that a public hearing be held by said Board on October 5, 2021 from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled “THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY WHERE THE TOWN HAS OPTED IN”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on September 29, 2021, 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, the public hearing was duly held at such location and time, with 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:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. This Local Law (Introductory No. 4–2021), County of Lewis, being “THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY WHERE THE TOWN HAS OPTED IN” be and the same hereby is designated as Local Law No. 4-2021, County of Lewis.

Section 2. That Local Law No. 4-2021, 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 Virkler, seconded by Legislator King.

Legislator Kulzer voiced his concerns that lowering the event attendance threshold from 250 people to 50 seems too restrictive, although he does agree that there should be two categories, motorized and non-motorized.

Legislator Gilbert felt that the insurance requirement should only be for events that have 250 or more participants because it is too costly for small organizations. Legislator Kulzer pointed out that the 50 participant threshold could be reached with just extended family of a large family having an event. He also recalled that he thought the purpose of this Local Law wasn't about the fee or collecting money, but the purpose was so that different agencies in the county would be notified of large events for safety reasons. He felt strongly that this Local Law should have more input from the Towns.

Legislator Osborne agreed that this wasn't really accomplishing what the original purpose of the Local Law was. Legislator Dolhof stated that the main purpose of the Event Permit was so that all agencies, including Law Enforcement and Emergency Management would be notified ahead of time for large events in order to make sure safety measures are in place.

Sheriff Carpinelli spoke up that his department is not part of this, he is usually notified by the event organizer already. County Manager, Ryan Piche stated that the reason the threshold was lowered from 250 to 50 participants is that many event organizers were claiming that they only invited 50 people and had no idea that more than a hundred would show up in order to evade having to purchase an event permit.

Legislator Gilbert again requested the insurance requirements be only for events with 250 or more participants. Legislator Dolhof stated that the insurance requirements were added because many Towns had created their own laws and rather than everyone following different regulations this was a way to create one consistent policy. County Attorney, Joan McNichol reminded everyone that the county has the authority to waive the insurance requirements for any specific event if they feel it is unnecessary.

The resolution was then defeated on the 5th day of October, 2021 pursuant to the following roll call vote:

AYES: Chartrand, King, and Dolhof

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NAYS: Gilbert, Kulzer, Virkler, Osborne, and Hathway

ABSENT: Moroughan and Burns

**RESOLUTION NO. 228 - 2021
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 5 – 2021, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on September 7, 2021, directing that a public hearing be held by said Board on October 5, 2021 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 September 29, 2021, 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, the public hearing was duly held at such location and time, with all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 5–2021), 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. 5–2021, County of Lewis.

Section 2. That Local Law No. 5-2021, County of Lewis, with designation stated above, waiving any and all defects and informalities in the adoption thereof, is subject to a permissive referendum and shall take effect forty-five (45) days after the adoption hereof, and upon all legal requirements having been met.

Moved by Legislator Virkler, seconded by Legislator Gilbert, and adopted on the 5th day of October, 2021 pursuant to the following roll call vote:

AYES: Gilbert, Virkler, Osborne, Hathway, King, Chartrand, Kulzer, and Dolhof

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NAYS: None

ABSENT: Moroughan and Burns

**RESOLUTION NO. 229 - 2021
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT WITH
J. ARTHUR SEALCOATING & CONTRACTING FOR
SNOW PLOWING AND SANDING OF THE
LEWIS COUNTY-JEFFERSON COMMUNITY COLLEGE EDUCATION CENTER
PARKING LOT FOR THE 2021-2022 SNOW SEASON**

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

WHEREAS, the County of Lewis desires to enter into a renewal agreement with J. Arthur Sealcoating & Contracting for snow plowing and sanding of the Lewis County-Jefferson Community College Education Center ("LC-JCC") parking lot for the 2021/2022 snow season; and

WHEREAS, the Board of Legislators desires to authorize a renewal Agreement for the 2021/2022 snow season;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a renewal agreement with J. Arthur Sealcoating & Contracting, 7550 East State Street, Lowville, New York, to provide snow plowing and sanding services for the Fall/Winter 2021 – Winter/Spring 2022 snow season for the Lewis County-Jefferson Community College Education 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 \$95.00 per hour for the contractor's loader and \$95.00 per hour 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, and any amendments thereto, upon such terms and provisions as approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 230 - 2021
RESOLUTION AUTHORIZING LEWIS COUNTY DEPARTMENT OF**

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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 2021-2022 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 2021/2022 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 2021/2022 snow season, at a cost not to exceed \$25,000.00, payable in three (3) equal installments on October 1, 2021, January 1, 2022 and May 1, 2022.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, and any amendments thereto, upon terms and conditions approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 231 - 2021
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND KINSLEY POWER SYSTEMS
FOR GENERATOR MAINTENANCE SERVICES
AT THE 911 TOWER SITES AND COUNTY BUILDING**

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

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WHEREAS, the Lewis County Buildings and Grounds Department recently requested quotes from three (3) contractors to have maintenance and inspection services performed for the generators located at all Lewis County 911 tower sites and all county buildings for a five (5) year period; and

WHEREAS, the Director of Buildings and Grounds received three (3) quotes and after review and consideration of same, recommends a contract with Kinsley Power Systems, who offered the lowest quote for the five (5) years of maintenance service; and

WHEREAS, the County of Lewis desires to enter into an agreement Kinsley Power Systems, with office located at 6200 East Molloy Road, East Syracuse, New York 13057, for the purpose of providing maintenance and inspection services for the generators placed at the 911 tower sites and all county buildings; and

WHEREAS, the Lewis County 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 with Kinsley Power Systems for the purpose of providing maintenance and inspection services for the generators located at all 911 tower sites and county buildings.

Section 2. That this is for a five (5) year term commencing January 1, 2022 through December 31, 2026, at cost not to exceed the following:

2022	\$ 9,520.00
2023	\$ 9,709.00
2024	\$ 9,922.00
2025	\$10,115.00
2026	\$10,320.00

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

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 232 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND T&D BLACKTOP & SEALING
FOR MAINTENANCE PERFORMED ON THE PARKING LOT AT THE
LEWIS COUNTY-JEFFERSON COMMUNITY COLLEGE EDUCATION CENTER**

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

WHEREAS, the Lewis County Buildings and Grounds Department recently requested quotes from three (3) contractors to have maintenance performed on the parking lot at the Lewis County-Jefferson Community College Education Center (“LC-JCC”), which includes sealing and striping; and

WHEREAS, the Director of Buildings and Grounds received two (2) quotes and after review and consideration of same, recommends a contract with T&D Blacktop & Sealing, who proposed \$9,900.00 for the parking lot maintenance required; and

WHEREAS, the Board of Legislators seeks to contract with T&D Blacktop & Sealing to perform maintenance services on the LC-JCC parking lot;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with T&D Blacktop & Sealing, Beaver Falls, New York, to perform parking lot sealing and striping maintenance services at the Lewis County-Jefferson Community College Education Center.

Section 2. That the cost shall not exceed \$9,900.00, with the work to be completed by November 30, 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 and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 233 - 2021
RESOLUTION ORDERING IMMEDIATE SITE CLEAN UP, REMOVAL OF UNSAFE
AND CONTAMINATED BURNED BUILDING DEBRIS, AND BACKFILL OF THE
FORMER BRICK BLOCK BUILDING, TURIN, NY PROPERTY**

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

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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, in 2008, the Lewis County Codes Department condemned the structure known as the Brick Block Building, located on the southeast corner of East Main Street and State Street, in the Village and Town of Turin, NY, as unsafe for occupancy, with a portion of the rear of the building having collapsed and being a danger and nuisance to the safety of the public. The Lewis County Board of Legislators held a public hearing and determined that the owners were required to install a barricade fence sufficient to barricade the collapsed portions of the building; and

WHEREAS, in 2014 the Lewis County Codes Department advised that there were serious structural issues pertaining to the heating system, plumbing and electrical systems warranting condemnation of the interior structure. In 2017 additional portions of the building were determined to be in disrepair and in danger of collapse, with missing windows and doors allowing for unauthorized access to the interior and unsafe for occupancy. The Codes Department condemned the entire structure, filed notices of violations and requests for compliance to no avail. Subsequently, one of the record owners of the majority of the building parcels, Rose McKenna, a/k/a Rose McKenna Davis, appeared before the General Services committee alleging that she intended to renovate and fix the structure, but she did not; and

WHEREAS, on or about March 31, 2021, the building burned and fully collapsed. The County, in consultation with the Village Mayor, secured the US Environmental Protection Agency (EPA) to view the downed structure and site, and to take numerous samples of the debris and materials on site. The testing revealed one area of friable asbestos roofing material, with other samples not rising to such level. The US Department of Labor and NYS Department of Environmental Conservation determined that clean up of the site required certified haulers of asbestos- contaminated materials; and

WHEREAS, the County Attorney notified Ms. McKenna Davis of the process required for emergency clean up and removal of the debris and hazardous materials, and with the County's intention to immediately act to clear and remove the hazardous debris and materials for the safety of the public, pursuant to the Unsafe Structure Law. Ms. McKenna's response did not express an intention for her to clear the site of the hazardous debris and materials; and

WHEREAS, Local Law No. 2-2007 provides for emergency action where there is present a clear and imminent danger to life, safety or health of any person or property unless the unsafe structure is immediately addressed. The testing of this downed structure is dangerous to the life, safety and health of residents and passers-by, warranting the immediate action of the County as set forth herein; and

WHEREAS, with the assistance of professional services from the Development Authority of the North Country (DANC), the Code Enforcement Officer, through the County Attorney, has taken preliminary steps to commence clean up of the property by sending out Requests for Quotes (Air Monitoring Services) and an RFP for site clean up, certified removal of hazardous asbestos material, and backfill of the property after removal. Upon authorization of the Board of

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Legislators for the contracts associated with the required clean up and removal actions to the charred structure and construction debris laced with hazardous materials and asbestos contaminated debris, the site clean up and remediation of the property will be undertaken for the safety of the residents; and

WHEREAS, the County published Notice of an Emergency Public Hearing on this matter for October 5, 2021 at 5:00 p.m., which gives notice to the public and directly to record owners of the building and property to appear before this Board of Legislators on such date and time to Show Cause why the Board should not Order the County to immediately undertake the clean up and removal of the downed structure and hazardous materials, to be paid by the owners of said property by assessing all costs and expenses thereof against the land on which the building was located, in proportion to each separate owner's parcel interest in the property; and

WHEREAS, the record owners were given due notice of this emergency hearing before this Board. Notice of the Emergency Hearing was published in the Watertown Daily Times, and posted on the Lewis County website. All interested parties and known relatives of the owners were served with notice of the hearing as well; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators held an emergency public hearing on October 5, 2021 at 5:00 p.m., in accordance with the Notice of Emergency Hearing published and served upon interested parties, pertaining to the action to be taken by the County to immediately undertake the clean up and removal of the downed structure and hazardous materials, and backfill of the property, to be paid by the owners of said property by assessing all costs and expenses thereof against the land on which the building was located, in proportion to each separate property owner's parcel interests in the property; and

Section 2. That upon such hearing, the Board of Legislators finds:

- (a) That Rose McKenna, aka Rose McKenna-Davis is owner of a portion of the premises known as the Brick Block Building, East Main Street and State Street, Turin, NY, owning the following parcels at said location: Tax Map Nos. 321.15-01-03.000; 321.15-01-04.000(second floor parcel); 321.15-01- 05.000; 321.15-01-06.000, Town of Turin, Village of Turin, County of Lewis;
- (b) That the estate of Thomas Milstead III is owner of a portion of the building identified as Tax Map No. 321.15-01-04.000 (first floor). Taxes are delinquent and the property is listed in the Lewis County Tax Foreclosure Proceeding for transfer to the County.
- (c) That the estate of Ronald Dorn is owner of a portion of the building identified as Tax Map No. 321-15-01-07.000. Taxes are delinquent and the property is listed in the Lewis County Tax Foreclosure Proceeding for transfer to the County.

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- (d) That the Lewis County Code Enforcement Officer duly inspected said premises and has declared on a number of occasions that the building located on said premises was unsafe and not repairable, and should be demolished and removed;
- (e) That the building was destroyed by fire on March 31, 2021, leaving the property unsafe, hazardous and a danger to the public in its present state. The County Attorney and Code Enforcement Department recommend that the site be determined to require emergency attention to be cleared of all debris and all materials by proper and safe removal and monitoring to an appropriate landfill, in compliance with regulations and requirements of the US DOL and NYS DEC;
- (f) That the Board of Legislators has received all reports and updates on this property and agrees with the recommendation for the County to undertake immediate clean up, debris removal and backfill of the property;
- (g) That Notice of an Emergency Hearing was published and set for October 5, 2021 for all those interested to appear and be heard with respect to the determination that the burned, downed building site is unsafe, constitutes a public nuisance and a danger to the safety, health and welfare of the community; and that the building site must be immediately cleared of all debris and hazardous materials by proper removal from the premises;
- (h) That the Owners and interested parties received due notice of these proceedings and hearing date;
- (i) That upon the aforesaid findings, the Lewis County Board of Legislators determines:
 - 1. that the downed, burned building located on the premises at the corner of East Main Street and State Route 26, Village of Turin, known as Tax Map Nos. 321.15-01-03.000; 321.15-01-04.000(second floor parcel); 321.15-01-04.000(first floor parcel); 321.15-01- 05.000; 321.15-01-06.000; and 321.15-01-07.000, Town of Turin, County of Lewis is unsafe, constitutes a public nuisance and a danger to the safety, health and welfare of the community and must be treated as an emergency matter requiring immediate steps to clear of construction debris and hazardous materials; to properly handle and remove the debris and materials, as required by DOL and DEC; and for the property to be backfilled;
 - 2. that all record owners have failed to remedy this condemned structure and site for over ten (10) years, and have demonstrated an inability to properly demolish, secure, and remove the unsafe conditions and structure over time; have failed to secure and clean up the building debris and hazardous materials caused by the fire at said location, in conformance with all permits, regulations, codes and laws pertaining to said proper demolition and removal. Further, the owners have demonstrated an inability or refusal to pay for such costs and expenses of clean up and removal.

Section 3. That by reason of such findings and determinations, it is hereby

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ORDERED AND DECREED, that Rose McKenna, aka Rose McKenna-Davis as owner of a portion of the premises known as the Brick Block Building, East Main Street and State Street, Turin, NY, owning the following parcels at said location: Tax Map Nos. 321.15-01-03.000; 321.15-01-04.000(second floor parcel); 321.15-01- 05.000; 321.15-01-06.000, Town of Turin, Village of Turin, County of Lewis; the estate of Thomas Milstead III as owner of a portion of the building identified as Tax Map No. 321.15-01-04.000 (first floor), whose property taxes are delinquent with the property listed in the Lewis County Tax Foreclosure Proceeding for transfer to the County; and the estate of Ronald Dorn as owner of a portion of the building identified as Tax Map No. 321-15-01-07.000, whose taxes are delinquent with the property listed in the Lewis County Tax Foreclosure Proceeding for transfer to the County; shall be financially responsible for the costs and expenses incurred by the County of Lewis in the proper site clean up, air monitoring, asbestos contaminated debris and material removal to a proper landfill, and backfill, in proportion of the percentage ownership of each owner's parcel(s); and it is

ORDERED AND DECREED, that the County, through the County Attorney and Code Enforcement Department, immediately undertake any and all steps and actions required to commence site clean up, removal and backfill of the property by County employees and/or by contract in accordance with the County's procurement policies and through competitive bidding for any contracts in excess of \$20,000.00; and it is further

ORDERED AND DECREED, that all of the costs and expenses of clean up, removal and backfill undertaken by the County shall be assessed against the owners of the land upon which the building was located, and apportioned in relation to the size of each parcel comprising the entire property; and it is further

ORDERED AND DECREED, that as alternative relief and at her option, the County Attorney is authorized to institute any special proceeding(s) she deems necessary or appropriate to collect the costs and expenses of securing the property, clean up, debris removal, and backfill as described herein from the record owners; and it is further

ORDERED AND DECREED, that Notice of this Decision and Order shall be delivered to the Owners of the property by mailing a certified copy of this Resolution to each Owner or to his/her designated lawful agent, at his/her last known address(es) according to the tax records, and at any additional address that may have been provided to the County Attorney, and by any other service method deemed appropriate.

Section 4. That the costs and expenses of this clean up project be paid from the American Rescue Plan Act (ARPA) funds designated for Property Clean Up.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

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**RESOLUTION NO. 234 - 2021
RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND GREEN 2 GREEN CONSULTING LLC
FOR PROFESSIONAL AIR MONITORING SERVICES AT THE TURIN BRICK
BLOCK CLEAN UP AND REMOVAL PROJECT**

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

WHEREAS, pursuant the prior authorization from the Lewis County Board of Legislators, the Development Authority of the North Country (DANC), in consultation with the County Attorney, sent out a request for quotes for air monitoring services required by NYS in the cleanup and removal of the downed building, with asbestos-containing debris; and

WHEREAS, proposals were solicited from four (4) professional environmental firms known to be certified in air monitoring services, to provide an estimate of the cost of air monitoring and testing for an estimated twenty (20) days to complete site cleanup of asbestos containing materials. The final cost will depend on the number of days air monitoring will be required; and

WHEREAS, the four (4) proposals received were reviewed by the DANC Engineer and County Attorney, who recommend that the Board award the contract to Green 2 Green Consulting LLC, of Watertown, NY, with the lowest pricing schedule of \$10,849.00, according to the terms and specifications set forth in the RFP; and

WHEREAS, the Lewis County Board of Legislators seeks to award the air monitoring services contract to Green 2 Green Consulting LLC (Green), for the specified services to be provided under this Project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Green 2 Green Consulting LLC, with office at 18969 US Route 11, Suite 2, Watertown, NY 13601 to provide asbestos air monitoring services at the Turin Brick Block cleanup and removal site, on the days that removal of building materials is undertaken.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions, requirements and terms recommended by the County Attorney, at a cost not to exceed \$10,849.00 for an estimated twenty (20) days of project monitoring and testing.

Section 3. That this expense shall be paid from the Capital Environmental Clean Up Fund Account # H0809000 499900.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments or change orders thereto, upon review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 235 - 2021
RESOLUTION AUTHORIZING AN EXTENSION
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND
ICU SECURITY & PRIVATE INVESTIGATIONS FOR
UNARMED SECURITY GUARD SERVICES AT THE
DEPARTMENT OF MOTOR VEHICLES BUILDING**

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

WHEREAS, the County of Lewis, on behalf of the Lewis County Department of Motor Vehicles (“DMV”) entered into an agreement dated May 6, 2021 with ICU Security & Private Investigations (“ICU”) pursuant to Resolution No. 88-2021, for unarmed security guard services at the Lewis County DMV building located on East State Street, Lowville, NY; and

WHEREAS, this was for a period of up to six (6) months with the term commencing on May 10, 2021 through November 5, 2021 at a cost not to exceed \$32.50 per hour, the prevailing wage rate for security guards in the North Country area, all inclusive of taxes, insurance, disability, and any other costs and expenses associated with providing said service; and

WHEREAS, the Lewis County Clerk desires to extend the agreement through the end of this year, ending December 31, 2021, at the same hourly rate; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an extension Agreement between the County of Lewis, by and through the Lewis County Clerk, with ICU Security & Private Investigations for unarmed security guard services at the Lewis County DMV building located on East State Street, Lowville, NY.

Section 2. That the term of the Agreement shall continue from November 5, 2021 through to December 31, 2021, at a cost not to exceed \$32.50 per hour, all inclusive of taxes, insurance, disability, and any other costs and expenses associated with providing said 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.

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Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 236 - 2021
RESOLUTION AUTHORIZING PURCHASE OF A PORTION OF THE EAST STATE STREET PROPERTY (PARCEL NO. 212.16-02-09.151) CURRENTLY LEASED BY THE COUNTY OF LEWIS FROM V. S. VIRKLER & SON, INC.**

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

WHEREAS, the County of Lewis, acting by and on behalf of the Lewis County Department of Motor Vehicles, entered into a Lease Agreement with VS Virkler & Son, Inc., (Virkler) for the purpose of renting and using the existing building and parking lot (approximately one acre) located at 7513 East State Street, Lowville, NY to service DMV transactions; and

WHEREAS, the Lewis County Board of Legislators desire to purchase a greater portion of this parcel to include the building, current parking lot and a significant portion of the vacant, flat remainder of the parcel in order to permanently house DMV at this location and build an extension to the existing building and expand the parking lot area in order to accommodate the Board of Elections at the same location; and

WHEREAS, the County secured an appraisal of the property, which indicated an approximate market value of \$320,000.00. The owner is willing to sell this portion of his parcel (the buildable portion of the parcel) to the County for the sum of \$430,000.00; and

WHEREAS, the Board of Legislators finds that acquisition and outright ownership of this property, is beneficial in its ease of access for residents, eliminates rental expenses, is in keeping with the requirement that BOE be located within the limits of the Village of Lowville, and is consistent with the County's five-year County building plan; and

WHEREAS, the County Manager seeks to have the Lewis County Board of Legislators exercise its authority and approve a contract of sale for the purchase of this portion of the parcel known as 7513 East State Street, Lowville, NY 13367 from VS Virkler & Son, Inc., in consideration of the payment of \$430,000.00;

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. The Lewis County Board of Legislators hereby approves and authorizes the purchase of the approximately 2 - 2.5 acre portion of the property located at 7513 East State Street, Lowville, NY (tax map parcel no. 212.16-02-09.151), comprised of the current building, parking lot with the extended, additional, flat portion of the land for use by the County of Lewis in its operations and services provided by its DMV and BOE departments, or as the County may otherwise determine.

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Section 2. That the Board of Legislators hereby authorizes and directs the County Attorney to take all customary action and legal steps for the purchase and transfer of the property to the County of Lewis at a purchase price of \$430,000.00, payable from the Capital Building Project – HAR account.

Section 3. The Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such purchase contract, transfer documents as may be required, upon such form(s) as approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Hathway, and adopted on the 5th day of October, 2021. Legislator Virkler abstained.

**RESOLUTION NO. 237 - 2021
RESOLUTION TO ACCEPT CYBER SECURITY GRANT AND AUTHORIZE
CONTRACT WITH CORE BTS, INC FOR CYBER HARDWARE AND SERVICES
AT BOARD OF ELECTIONS**

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

WHEREAS, the Lewis County Board of Elections has been awarded NYS BOE grant funds up to the amount of \$68,417.37 under Contract Number BOE01-C004254-1110000, to reimburse the county board of elections for eligible expenses to implement cybersecurity remediation and mitigation services, for the term beginning December 21, 2019 to December 31, 2021; and

WHEREAS, the Lewis County IT Director has identified the need to replace access switches in the electronic equipment at the Board of Elections, which will enhance their cyber security; and

WHEREAS, the IT Director received proposals and quotes from identified vendors who have the particular professional expertise and knowledge, and the identified hardware compatible to the County's system for this enhancement. The IT Director recommends that the County authorize an agreement with Core BTS, Inc for the electronic switches, hardware, equipment and professional services for installation, testing, compatibility, trouble shooting, and other services identified in the services proposal; all not to exceed the reimbursable grant funds of \$68417.37; and

WHEREAS, the Lewis County Board of Legislators wishes to accept the grant and enter into the contract for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Board of Elections and the New York State Board of Elections for the Cybersecurity Remediation and Mitigation Services Grant identified as Contract Number BOE01-C004254-1110000, up to the amount of \$68,417.37.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Commissioners of the Lewis County Board of Elections to execute and enter into the Grant Agreement or other documents which may be required for this Agreement and for the Commissioners to submit reimbursement for eligible cybersecurity expenses incurred through December 31, 2021, or as the term may be extended.

Section 3. That the IT Director is authorized to accept the proposal from Core BTS, Inc (Core) for electronic switches, equipment, hardware, and services associated with installation of same as cybersecurity remediation and mitigation services to benefit the BOE, up to an amount not to exceed eligible grant funds of \$68,417.37.

Section 4. That the Chairman, or Vice-Chairman, in his absence, is hereby authorized to execute and deliver the Agreement with Core BTS, Inc, subject to review and approval of the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 238 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO HIGHWAY DEPARTMENT**

Introduced by Legislator Jerry King, Chair 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 Lewis County Highway Department for the following:

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
One (1) Mechanic Welder	Full-Time	Grade 21 (\$19.54 - \$22.84)
<u>CREATE</u>		
One (1) MEO Medium	Full-Time	Grade 18 (\$18.16 - \$20.93)

Section 2. That Highway Superintendent Timothy Hunt is hereby authorized to fill the MEO Medium position effective immediately.

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Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 239 - 2021
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 775387) KNOWN AS CR 29 (WEST ROAD) OVER WHETSTONE CREEK**

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

WHEREAS, a Project for the Bridge Replacement known as CR 29 (West Road) over Whetstone Creek (PIN 775387; BIN 3340230) (the "Project") in the Town of Martinsburg, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds, 15% state funds and 5% 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 139-2019 adopted May 7, 2019; and

WHEREAS, the Superintendent of Highways received notice from the NYSDOT that the County will receive additional Final Design funds and Marchiselli funding for the additional costs associated with the Final Design Phase, which amends the previously adopted Schedule A funding for the Final Design phase of this project; and

WHEREAS, Supplemental Agreement No. 3 amends the phase scheduled funding by increasing total costs of the Final Design by \$116,500.00 for a total cost of \$270,500.00, with \$216,400.00 the Federal Share \$38,100.00 the Marchiselli match and \$16,000.00 local share;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chairman of the Board of Legislators to execute a supplemental agreement to the CR 29

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(West Road) over Whetstone Creek Contract with NYSDOT, identified as “Supplemental Agreement No. 3 to D036200” to incorporate additional final design costs and funding as well as approval of Marchiselli funds for the Final Design Phase for the project.

Section 2. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute all necessary supplemental agreements on behalf of the Lewis County Board of Legislators with the New York State Department of Transportation in connection with this Project.

Section 3. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to the Supplemental Agreement No. 3 to Contract D036200, in connection with the Project.

Section 4. That \$116,500.00 shall be appropriated in the Capital Bridge Program to facilitate the Final Design Phase for the Bridge Replacement on CR 29 (West Road) over Whetstone Creek (PIN 775387; BIN 3340230) in the Town of Martinsburg. The following accounts shall be recognized to facilitate the funding of this project:

Increase Revenues:

H0512000 345970 Federal	\$ 93,200.00
H0512000 335910 State	\$ 15,000.00
H0512000 350310 Local	<u>\$ 8,300.00</u>
Project HAP	\$116,500.00

Increase Expenditures:

H0512000 499900 Expenditures	\$116,500.00
Project HAP	

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October.

**RESOLUTION NO. 240 - 2021
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS**

Introduced by Legislator Lawrence L. 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

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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 Herbert F. Frost III, Harrisville, New York 13468 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 October 6, 2021 for an indefinite term.

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

Moved by Legislator Hathway, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 241 - 2021
RESOLUTION TO APPROPRIATE FUNDS
Office For the Aging Department**

Introduced by Legislator Andrea Moroughan, Chair of the Health & 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 accounts for additional grant funding received from New York State related to Covid-19:

Increase Revenue:

A0677200 337706 OFA NY Connects Covid 19 \$18,664.00

Increase Expenditures:

A0677200 490906 OFA ADRC Covid 19 \$18,664.00

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

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**RESOLUTION NO. 242 - 2021
RESOLUTION AUTHORIZING AND ADOPTING THE 2021 LEWIS COUNTY
HUMAN SERVICES COORDINATED TRANSPORTATION PLAN**

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

WHEREAS, in 2007, the Lewis County Transportation Task Force, a group of human services providers, began meeting to discuss the transportation needs within the county. The County assigned the Lewis County Department of Economic Development and Planning to participate in the task force, review the existing transportation programs and identify redundancies and gaps in service; and

WHEREAS, Lewis County Public Transportation (LCPT) was launched in 2009 as a direct outcome of identified needs found in the 2009 Lewis County Human Services Coordinated Transportation Plan, administered by the Lewis County Economic Development and Planning Department; and

WHEREAS, the Lewis County Planning Department and the Lewis County Transportation Task Force prepare updates to the Plan approximately every four (4) years. The last Plan was updated in 2017. The Plan prepared is in accordance with the regulations of the Federal Transportation, Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA) mandate, which requires establishment of a locally developed, coordinated public transit-human services transportation plan for all FTA programs for underserved populations; and

WHEREAS, the Task Force has prepared an updated Plan to provide information on past and current efforts to improve community mobility and quality of life for the residents of Lewis County; and

WHEREAS, the proposed updated Plan will assist various human resource public and private agencies in Lewis County (such as Public Health, DSS, the Hospital, OFA) to service their clients; will assist all such agencies in Grant Funding application requirements; and will assist the Planning Department in meeting requirements established by the NYS DOT; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize and adopt the updated Lewis County Human Services Coordinated Transportation Plan prepared by the Planning Department and the Lewis County Transportation Task Force;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby adopts the 2021 “Lewis County Human Services Coordinated Transportation Plan”, prepared by the Lewis County Planning Department and the Lewis County Transportation Task Force as its updated Plan to improve community mobility and quality of life for the residents of Lewis County.

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Section 2. That the Planning Department is directed to distribute the Plan to all appropriate human services organizations and agencies in Lewis County and to post a copy of the Plan on the Lewis County website.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

RESOLUTION NO. 243 - 2021
RESOLUTION AUTHORIZING AGREEMENT WITH DEVELOPMENT AUTHORITY
OF THE NORTH COUNTRY TO ADMINISTER THE NORTHERN BORDER
REGIONAL COMMISSION 2021 SEID GRANT AWARD

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

WHEREAS, pursuant to the Resolution No. 105-2021, the Lewis County Board of Legislators authorized an application to the Northern Border Regional Commission (NBRC) for a 2021 State Economic & Infrastructure Development (SEID) award pertaining to a comprehensive telecommunication infrastructure project and plan for Lewis County; and

WHEREAS, the Planning Department received notification from the NBRC that the County was awarded \$263,053.00 toward its \$328,816.00 project, with the County's commitment to meet the 20% local match; and

WHEREAS, under the proposed workplan, the Development Authority of the North Country (DANC) is identified as the preferred entity to serve as administrator of the NBRC grant because of its expertise and designation as the Local Development District (LDD) for the County; and

WHEREAS, the Planning Department requests that the Lewis County Board of Legislators approve an Agreement with DANC to provide technical and administration services to the County under the NBRC grant, in an amount not to exceed \$6,000.00;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an agreement with DANC to provide technical administration services to the County under the NBRC 2021 SEID grant for the telecommunication infrastructure project plan, at a cost not to exceed \$6,000.00, and payable from the grant funds awarded.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such Agreement, amendments, extensions, and all other required documents necessary to carry out the terms of this Resolution, upon review and approval of the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 244 - 2021
RESOLUTION DETERMINING CDBG PROJECT GRANT NO. 636HO133-20
CONSTITUTES A TYPE II ACTION UNDER SEQRA WITH NO SIGNIFICANT
ENVIRONMENTAL IMPACT UPON THE ENVIRONMENT**

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

WHEREAS, the County of Lewis applied for Community Development Block Grant (“CDBG”) funds to finance community development activities; and

WHEREAS, the County of Lewis was awarded \$377,239.00 in NYS Community Block Grant funds for homeownership activities (Project No. 636HO133-20); and

WHEREAS, CDBG environmental regulations require that the County make a determination as to whether the project will have a significant impact upon the environment; and

WHEREAS, the Director of Planning, designated as the certifying officer responsible for all activities associated with the CDBG project, reviewed the environmental review process outlined under the Grant regulations and considers the program to constitute a Type II action as defined by the regulations. The Director recommends that the Board conclude that the project will not have a significant environmental impact, and that as a Type II action, no further procedure under SEQRA is required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby determines that the Lewis County CDBG community development activities (Project No. 636HO133-20) 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, that the project will not have a significant impact upon the environment, and that there is no further procedure required under SEQRA.

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.

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Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 245 - 2021
RESOLUTION DETERMINING CDBG PROJECT GRANT NO. 636HR134-20
CONSTITUTES A TYPE II ACTION UNDER SEQRA WITH NO SIGNIFICANT
ENVIRONMENTAL IMPACT UPON THE ENVIRONMENT**

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

WHEREAS, the County of Lewis applied for Community Development Block Grant (“CDBG”) funds to finance community housing opportunities and activities; and

WHEREAS, the County of Lewis was awarded \$610,064.00 in NYS Community Block Grant funds to address housing rehabilitation (Project No. 636HR134-20); and

WHEREAS, CDBG environmental regulations require that the County make a determination as to whether the project will have a significant impact upon the environment; and

WHEREAS, the Director of Planning, designated as the certifying officer responsible for all activities associated with the CDBG project, reviewed the environmental review process outlined under the Grant regulations and considers the program to constitute a Type II action as defined by the regulations. The Director recommends that the Board conclude that the project will not have a significant environmental impact, and that as a Type II action, no further procedure under SEQRA is required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby determines that the Lewis County CDBG community housing opportunities and activities (Project No. 636HR134-20) 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, that the project will not have a significant impact upon the environment, and that there is no further procedure required under SEQRA.

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 Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

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**RESOLUTION NO. 246 - 2021
RESOLUTION DETERMINING CDBG PROJECT GRANT NO. 636ME980-21
CONSTITUTES A TYPE II ACTION UNDER SEQRA WITH NO SIGNIFICANT
ENVIRONMENTAL IMPACT UPON THE ENVIRONMENT**

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

WHEREAS, the County of Lewis applied for Community Development Block Grant (“CDBG”) funds for small business loans/grants under 2020 CDBG; and

WHEREAS, the County of Lewis was awarded \$200,000.00 in NYS Community Block Grant funds for the microenterprise program (Project No. 636ME980-21); and

WHEREAS, CDBG environmental regulations require that the County make a determination as to whether the project will have a significant impact upon the environment; and

WHEREAS, the Director of Planning, designated as the certifying officer responsible for all activities associated with the CDBG project, reviewed the environmental review process outlined under the Grant regulations and considers the program to constitute a Type II action as defined by the regulations. The Director recommends that the Board conclude that the project will not have a significant environmental impact, and that as a Type II action, no further procedure under SEQRA is required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby determines that the Lewis County CDBG community housing opportunities and activities (Project No. 636ME980-21) 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, that the project will not have a significant impact upon the environment, and that there is no further procedure required under SEQRA.

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 Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 247 - 2021
RESOLUTION TO ACCEPT GRANT, AUTHORIZE AGREEMENT, APPROPRIATE
FUNDS AND DETERMINING CDBG PROJECT GRANT NO. 636CVPF9-21
CONSTITUTES A TYPE II ACTION WITH NO**

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SIGNIFICANT ENVIRONMENTAL IMPACT UNDER SEQRA

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

WHEREAS, the Director of Planning received notification that Lewis County has been awarded \$747,790.00 from the Housing Trust Fund Corporation (“HTFC”) and the Office of Community Renewal (“OCR”) under the Coronavirus Aid, Relief, and Economic Security Act (“CARES”) for the County’s LMI Broadband Connections Project. The projects selected for award are to assist in the recovery of New York State communities by improving the resiliency of businesses and safety of homes and public facilities serving its residents. Approval and funding is dependent upon compliance with all HTFC requirements, including environmental review and SEQRA determination; and

WHEREAS, the Director of Planning, designated as the certifying officer responsible for all activities associated with the CDBG program, reviewed the environmental review process outlined under the Grant regulations and considers the project to constitute a Type II action as defined by the regulations. The Director recommends that the Board conclude that the project will not have a significant environmental impact, and that as a Type II action, no further procedure under SEQRA is required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby accepts the award and determines that the Lewis County CDBG CARES Act Award for the LMI Broadband Connections (Project No. 636CVPF9-21) 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; that the project will not have a significant impact upon the environment; and that there is no further procedure required under SEQRA.

Section 2. The Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal, and deliver the Grant Agreement, any forms and documents related and necessary to give effect to this award, pending approval of the County Attorney.

Section 3. That the following budget appropriation is hereby approved in the Planning Department for expected funding from the NYS CDBG CARES Program award:

Increase Revenue:

H0168000 339022 NYS CDBG Broadband \$747,790.00

Increase Expenditure:

H0168000 499900 Expenditure \$747,790.00

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

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**RESOLUTION NO. 248 - 2021
RESOLUTION APPOINTING PLANNING DIRECTOR AS THE CERTIFYING
OFFICER FOR CERTAIN COMMUNITY DEVELOPMENT BLOCK GRANTS**

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

WHEREAS, the County of Lewis has applied for and been awarded numerous Community Development Block Grants (CDBG), to wit: NYS CDBG Project numbers 636CVPF9-21, 636HO133-20, 636HR134-20, and 636ME980-21; and

WHEREAS, these projects 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 each Grant Agreement; and

WHEREAS, the Director of Planning requests that the Board of Legislators designate her as the Certifying Officer;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby declares and appoints Casandra Buell, the Lewis County Planning Director, as the Certifying Officer under CDBG Project Numbers 636CVPF9-21, 636HO133-20, 636HR134-20, and 636ME980-21, to sign the Environmental Review as required under the terms of the Grant Agreements between the County of Lewis and the New York State Agency(s) administering the Community Development Block Grant Project and funds therein awarded.

Section 2. That Casandra Buell, the Lewis County Planning Director, herein designated as the Certifying Officer for the above identified CDBG projects, is authorized to execute any required documents as the Certifying Officer in order to advance each Grant and secure the release of the Grant funds for each project.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 249 - 2021
RESOLUTION AUTHORIZING CHILD CARE SERVICES
EXPANSION PROGRAM AND TRANSFER OF FUNDS**

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

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WHEREAS, the County of Lewis, by and through the Planning Department, desires to have the County invest \$200,000.00 of the American Recovery Plan stimulus funds in an effort to support the urgent demand for affordable, safe, high-quality childcare in Lewis County; and

WHEREAS, in 2019, the Child Care Coordinating Council of the North Country issued a report indicating that there is not enough childcare to meet local needs. In Lewis County, there are 7.8 children for each regulated childcare slot available, that is, there are only 472 childcare slots available in the County for approximately 3,700 children; and

WHEREAS, the lack of child care in the County has a direct negative impact on economic development, especially with Covid-19, where many parents have been forced to leave employment in order to care for their children. Without the availability of this basic service, our local economy will continue to suffer; and

WHEREAS, the Planning and Community Development Department has worked with other agencies, including the LCIDA, Community Action Planning Council, JCC and Small Business Development Center in devising a comprehensive program to help mitigate current childcare challenges. The Child Care Services Expansion Program includes the following:

Home-based Day Care Training Bootcamp	\$ 35,000.00
Home-based Day Care Materials & Equipment Grant Program	\$ 9,000.00
Center-based Child Care Staffing program	\$120,000.00
Center-based Child Care Staff Retention Program	\$ 36,000.00
County Total 2022 Investment:	\$200,000.00

WHEREAS, this comprehensive investment in identified areas will serve to help families and business growth and retention in our local communities, with the Planning Department continuing to assist with local partners to increase affordable, safe and quality childcare in Lewis County; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this project and commit the \$200,000.00 funding for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the Planning Department’s Child Care Services Expansion Program in the amount of \$200,000.00, in accordance with the outline of programs and funding set forth above.

Section 2. That the Lewis County Board of Legislators authorizes and directs the funding for this Project to come from the County’s American Recovery Plan funds.

Section 3. That the following budget transfers are hereby approved utilizing Capital Reserve Account HAZ – American Rescue Plan Act:

Transfer from:

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H0 162000 340890 ARPA General Revenue \$200,000.00

Transfer to:

H0 172000 340890 ARPA Program Revenue \$200,000.00

Transfer from:

H0 162000 499900 ARPA General Expenditures \$200,000.00

Transfer to:

H0 172000 499900 ARPA Program Expenditures \$200,000.00

Section 4. That the Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to execute any and all agreements and documents the County Attorney determines to be necessary to give effect to this Project.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 250 - 2021
RESOLUTION TO ACCEPT COVID-19 VACCINE RESPONSE GRANT FUNDS
FROM NEW YORK STATE DEPARTMENT OF HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, Lewis County Public Health has been awarded grant funds in the amount of \$68,134.51 from New York State Department of Health (Contract No.: C36937GG) to promote and increase COVID-19 vaccine and other vaccine uptake; and

WHEREAS, this funding may be used for COVID-19 vaccine implementation expenses retroactive to January 1, 2021 and is available through June 30, 2024; and

WHEREAS, the Lewis County Board of Legislators wishes to accept the grant and enter into the contract for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between Lewis County Public Health and New York State Department of Health (Contract No.: C36937GG) to promote and increase COVID-19 vaccine and other vaccine uptake in the amount of \$68,134.51 for the retroactive date of January 1, 2021 through June 20, 2024.

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Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver and enter into the Grant Agreement or other documents which may be required to give effect to receipt of these grant funds.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 251 - 2021
RESOLUTION APPROVING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND BIRNIE BUS SERVICE, INC.,
FOR TRANSPORTATION SERVICES REQUIRED
FOR PRESCHOOL SPECIAL EDUCATION PROGRAM**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Public Health Agency (“LCPH”) is tasked with providing transportation services for eligible pre-school special education children and desires to enter into a renewal agreement with Birnie Bus Service, Inc.; 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, 2021 through June 30, 2022, 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
Additional 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.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 252 - 2021
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 appoints Dr. Brian Roggie of Lowville, New York as a member of the Lewis County Health Services Advisory Board.

Section 2. That the term of said appointment shall be effective January 1, 2022 through December 31, 2025.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 253 - 2021
RESOLUTION TO TRANSFER FUNDS
Public Health Department**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved to move funds to an appropriate expense account. The original appropriation for these funds occurred with Resolution #193-2021.

Transfer From:

A0409700 490100 Prof Svcs. Primary \$ 250,000.00

Transfer To:

A0401000 490900 PH External Miscellaneous \$ 250,000.00

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 254 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

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 amends the Compensation Plan of the County of Lewis, with reference to the Lewis County Department of Social Services for the following:

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
One (1) Homemaker	Full-Time	Grade 10 (\$14.96 - \$17.12)
<u>CREATE</u>		
One (1) Case Aide	Full-Time	Grade 12 (\$15.68 - \$17.92)

Section 2. That Social Services Commissioner, Jennifer Jones is hereby authorized to fill the Case Aide position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 255 - 2021
RESOLUTION AUTHORIZING ACCEPTANCE OF TEMPORARY ASSISTANCE FOR
NEEDY FAMILIES (TANF) ALLOCATION FOR NON-RESIDENTIAL DV SERVICES
AND AGREEMENT BETWEEN LCDSS AND LEWIS COUNTY OPPORTUNITIES,
INC. AS SERVICE PROVIDER UNDER THE PLAN**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Commissioner of Social Services received notification that the Department of Social Services (LCDSS) has been awarded \$25,000.00 in allocation

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funds from the NYS OCFS for non-residential domestic violence (DV) services under the TANF program, for SFY 2021-2022; and

WHEREAS, these TANF funds must be used to provide enhanced or expanded core and/or optional non-residential DV services and programs recognized by OCFS, and can only be used for services provided to families with children and whose income is at or below 200% of the poverty level; and

WHEREAS, in order to access these allocated funds, the Commissioner must execute an attestation and service plan with OCFS, including the name(s) of any service provider(s) the Department engages to provide identified services under the plan; and

WHEREAS, the Commissioner seeks to enter into a renewal agreement with Lewis County Opportunities, Inc., to provide the non-residential domestic violence response and prevention services under this allocation; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this funding and the agreements required in providing the services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Commissioner of Social Services to execute the agreement/attestation form and service plan required by OCFS in order to receive the \$25,000.00 TANF allocation funds for Non-Residential DV services for SFY 2021-2022.

Section 2. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Department of Social Services and Lewis County Opportunities, Inc., for the purpose of providing non-residential domestic violence response and prevention services under the plan submitted by LCDSS to OCFS.

Section 3. That the term of said agreement shall be from January 1, 2022 through December 31, 2022, for an amount not to exceed \$25,000.00 in allocation funds.

Section 4. That the following appropriation is hereby approved for SFY21-22 TANF Non-Residential DV Services program:

Increase Revenue:

A0610900 346090 Fed Aid	\$ 25,000.00
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Increase Expenditure:

A0610900 460900 Non-Res DV	\$ 25,000.00
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Section 5. That the Chairman or Vice-Chairman of the Board of Legislators and Lewis County Commissioner of Social Services are hereby authorized to make, execute, seal and deliver such Agreement, and any amendments thereto, upon review and approval by the County Attorney.

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Section 6. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 256 - 2021
RESOLUTION APPOINTING MEMBERS TO
TRAFFIC SAFETY BOARD**

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 appoints the following individuals as members of the Lewis County Traffic Safety Board:

Amy Green, Lowville Academy & Central School Transportation Supervisor,
Lowville NY

Andrew Krokowski, South Lewis Central School Transportation Department, Turin
NY

Douglas Salmon, West Turin Highway Superintendent, West Turin NY
Matthew Morrow, Lewis County STOP-DWI Coordinator, Lowville NY
Timothy Hunt, Lewis County Highway Superintendent, Lowville NY

Section 2. That the term of said appointments shall be for three years, effective from January 1, 2022 through December 31, 2024.

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

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 257 - 2021
RESOLUTION ADOPTING PURCHASING CARD
POLICY AND PROCEDURES
FOR THE COUNTY OF LEWIS**

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

WHEREAS, a purchasing card (credit card) policy for Lewis County Departments will streamline and simplify purchasing and accounts payable functions by eliminating waste, reducing low dollar purchase orders, reducing check requests, facilitating timely acquisition of materials and supplies, and the timely booking of conferences for employees. In addition, the

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County will receive annual rebate payments based upon the annual total charge volume, in accordance with rebate rate percentages between 0.50% and 1.90%; and

WHEREAS, the purchasing card policy will compliment the existing processes established by the Lewis County Board of Legislators, and will not bypass any procurement policies and procedures; and

WHEREAS, the Lewis County Board of Legislators seeks to adopt this purchasing card policy and authorize the Treasurer to enter into a Credit Card Agreement with J.P. Morgan Chase Bank, N.A. for this program;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby adopts the attached Purchasing Card Policies and Procedures for Departmental use of credit cards as may be approved by the County Manager.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Lewis County Treasurer to enter into the Commercial Card Agreement with J.P.Morgan Chase Bank, N.A. for this program, upon review and approval of the County Attorney.

Section 3. That the Board directs the Clerk of the Board to add the policy to the Administrative Manual and any other appropriate manuals, and to distribute same to the Lewis County Department Heads.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

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LEWIS COUNTY PURCHASING CARD POLICY AND PROCEDURES

The Purchasing Card is intended to streamline and simplify the Purchasing and accounts Payable functions by eliminating waste and low value activities. The Purchasing Card is a tool that reduces transaction costs, facilitates timely acquisition of materials and supplies, automates data flow for accounting purposes, and offers flexible controls to help ensure proper usage.

The Purchasing Card is designed as an alternative to a variety of processes including petty cash, check requests, and low dollar purchase orders. The Purchasing Card is not intended to avoid or bypass appropriate procurement of payment procedures. The Policy compliments the existing processes available and is to be used in accordance with the guidelines established by the Lewis County Board of Legislators as detailed in this policy. County purchasing cards should be treated with the same sense of responsibility and security an individual would use with their personal credit card. The program will be initiated with a Visa card issued by JP Morgan Chase bank. This could change in the future, but the basic mechanics of the policy and procedure will not change.

A. Obtaining a card for employees

1. All Purchasing Cards may be issued in the discretion of the County Manager at the request of Department Heads. Card usage will be audited and can be restricted and/or rescinded at any time. Cards will be issued to Departments on an as needed basis and at the request of the Department Head. Specific individuals in each department will be authorized to use the card based on approval of the Department Head. In specific instances, an individual could be authorized for a card. These cards will be in the name of that individual and an application for the card will be initiated by the Department Head.
2. The application / request form includes a credit limit amount. This should be based on reasonable expected purchase volumes. The authorized employee and Department Head must sign the application and provide it to the Treasurer's Office for final approval and signature. The card is the property of Lewis County and is only to be used for county purchases as defined in this guide. Approved card users are the only persons authorized to use their department card.
3. After reading and understanding this Purchasing Card Policy and Procedures, the Department Head or individual card user will sign the Cardholder Acknowledgement.

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4. Only full-time employees of Lewis County are eligible to receive a Purchasing Card. Contractors, part time, and temporary employees are not eligible. The authorized cardholder is responsible for the security of their card(s) and the transactions made against the card(s).
5. Departments will keep all credit cards (Departmental Cards and Individual Cards) in a secure place in the office. Cards will not be carried on a regular basis by any staff member. After use, a card will be returned to the secure location. It is the Department Head's responsibility to secure the card and develop a system to release the card for use as needed.

B. Cardholder Responsibilities and Consequences for Misuse

1. The Purchasing Card is intended for purchases such as services, supplies, materials, lodging, dues, and conference registrations. The Purchasing Card will not be used for any of the items on the list of restricted transactions and should be used in conformity with current purchasing guidelines. Individual authorizations for dollar limits and types of transactions will vary by department.
2. It is important to remember that county funds are committed each time the purchasing card is used. This is a responsibility that should not be taken lightly. The card user is responsible for all charges made to the card which has been issued to the department. Misuse or fraudulent abuse may result in disciplinary action up to and including dismissal. Though the card lists a department and/or an individual's name, the card is legally issued to Lewis County. The card will have no impact on an individual's personal credit.
3. Violations or misuse of the Purchasing Card can be categorized by one or more of the following list of activities (this list is not deemed absolute, there may be other examples of misuse not specifically stated here):
 - a. Purchase of items for personal use.
 - b. Failure to follow the requisition and purchase order protocols.
 - c. Failure to reconcile expenses, attach receipts and forward to Audit (Clerk of the Board) by the deadline established.
 - d. Use of the Card for items clearly defined as "Not for Card use".
 - e. Allowing an individual that is not an authorized user to access and use the purchasing card.
4. Misuse of the Purchasing Card will lead to disciplinary action which can include any one or combination of the following – to be determined by the County Manager, Human Resources Director, and County Attorney:
 - a. Suspension of card privilege
 - b. Revocation of the card
 - c. Reimbursement of costs incurred
 - d. Suspension of employment
 - e. Termination of employment

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5. Cardholders are responsible for informing the vendors that Lewis County is exempt from sales tax. The County's tax-exempt status is printed on the card. If a card is to be used in-person at a retail location where the vendor will not process the transaction as tax exempt, the transaction is not to be completed. Exceptions to this are allowed for a meal or other transaction that the vendor cannot remove the tax. If a transaction is assessed sales tax on phone, Internet, or mail orders the tax is to be adjusted on the statement before processing for approvals; if the credit does not get applied until the next monthly statement, the cardholder must note on the submission to the Treasurer's department that a credit has been requested and will be on the next statement.
6. Refunds and exchanges must be credited directly back to the Purchasing Card account. Under no circumstances shall cash or gift / debit cards be received for refunds or exchanges.
7. A transaction report is provided for each account. It is a Monthly Statement. The department will reconcile all receipts with the monthly detailed statement, attach all receipts to the statement, and forward it to the Department Head for approval. After approval, all documentation must be forwarded to the Treasurer's department for payment.
8. The Purchasing Card should be treated with the same level of security as cardholders treat their own personal credit cards. Lost or stolen cards must be immediately reported to the Department Head; the Department Head is to report the lost/stolen card to the County Treasurer. Replacement of the Purchasing Card must be authorized by the County Treasurer.
9. Unauthorized expenditures may be recovered by the County from the employee by any legal means as advised/initiated by the County Attorney.

C. Commercial Card Restrictions

1. Departmental and Individual Cards are not to be used for:
 - a. Alcohol, Liquor, Tobacco, or Cannabis
 - b. Medical Service Providers
 - c. Amusement and Entertainment Venues
 - d. Any vendor that adds an online service or credit card transaction fee of more than 1% of the purchase price
 - e. Insurance Agencies
 - f. Banks, ATM's, and Financial Institutions
 - g. Personal Service such as Salons, Spas, Dry Cleaners, etc.
 - h. Note: Cards can be used for meals, but the County's travel policy should be used as the guidelines for meal reimbursement. A meal can be purchased with the Card with Department Head approval and if this is the most logical way to incur the expense.
2. New York State Sales and Use Tax
The County of Lewis is a tax-exempt organization. Therefore, Sales Tax IS NOT TO BE PAID on in-State purchases made with the Purchasing Card.

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To make tax exempt purchases, a user may be required to present vendors with documentation that confirms the county's tax-exempt status. The County has a standard letter that identifies the county as a "governmental entity" and documents its exemption from New York State sales and use taxes. This letter will be attached with this policy and can be requested from the Treasurer's office. For Hotel / Motel stays, the employee should have a completed ST-129, "Exemption Certificate" specific to the date and facility for the hotel / motel stay. This form is included in this policy.

Use of the card to execute transactions that include New York State sales/use taxes may result in user repayment of the sales tax charge and/or the revocation of the cardholder's eligibility to participate in the program.

3. Separation of Employment

a. If an authorized user who has a card issued in his/her personal name leaves County employment, he/she must return the Purchasing Card to the Department Head and notify the Treasurer's Office. The Department Head is responsible for ensuring the card is reconciled and returned to the Treasurer's Office to be cancelled prior to the separation of employment or actual ending date. If not performed by the Treasurer, the Purchasing Card shall be sufficiently destroyed, and evidence of its destruction presented to the County Treasurer. The Department Head is responsible for submitting the final statement to the Treasurer's office with all receipts attached.

b. If an employee is on extended leave or disability, the Department Head should contact the County Treasurer to have the card "suspended" until the Cardholder returns to work.

4. Audits of the Program

All card purchases will be audited to confirm that the Purchasing Cards are utilized responsibly, receipts are retained, and the Cardholder's statements are being reconciled on a timely basis.

5. Conferences & Lodging

a. For lodging within New York State, a user will need to secure a lodging tax exemption ST-129 form and a sales tax exemption ST-121 form to be presented upon check in. If traveling out of state, the NYS ST 129 and ST 121 should be presented as some vendors do accept it and not charge lodging tax or sales tax.

b. The County travel and meal policy will continue to be used in most circumstances. Meals will be paid by employees and reimbursed per the Purchasing Policy and will be processed with appropriate receipts directly reimbursing the employee. In certain circumstances, the Card can be used for meal purchases with authorization from the Department Head.

c. A Travel Request form must be completed and approved by the Department Head prior to booking and charging to the Purchasing Card.

D. What you need to know about Security

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1. Departmental and individual cards must be kept secure and should be used only by authorized users. It is the Department Head's responsibility to determine users for their Department Card and to approve Individual Card holders. The Individual Cards are non-transferable - meaning that no one else should use the card other than the individual named. The Department Head and Individual card holders are ultimately responsible for charges to the cards except for verifiable cases of fraudulent use.
2. Liability in case of fraudulent use
If a Purchasing Card is used fraudulently – such as an unauthorized purchase using the Visa card number- the individual or Department will not be responsible for that purchase(s). The Treasurer's office should be contacted immediately if there is suspected fraudulent use so they can contact JP Morgan Chase Customer Service.
3. Procedure for Lost and/or Stolen Credit Card
 - a. Immediately advise Department Head and Treasurer's office.
 - b. Department Head or Treasurer's office contact the JP Morgan Chase Customer Service at 1-800-270-7760 to report a lost/stolen card and to initiate a replacement card.

E. How the Process Works

1. Required Action for all Purchases
2. Ensure the purchase will be tax exempt
3. Follow County Procurement Policy – any purchase over \$500 must have proposals or bids.
4. Procure a receipt or invoice for each purchase
5. Follow normal purchasing process and entry into Munis – this includes proper approval for the purchase:
 - a. Enter a requisition and receive approval from Department Head and County Manager.
 - b. After approval and purchase is received, receive the item in Munis and process the Invoice for payment. In certain circumstances, the purchase is made immediately (an on-line purchase). The requisition and receiving could occur before the actual receipt of goods in order to authorize timely payment.
 - c. Include a copy of the receipt / invoice in Munis.
6. The vendor for all transactions in Munis will be JPMC One Card (to be revised as needed after consultation with Munis).
7. Required Monthly Activity Review
 - a. Each Department and card user must review and verify their activity on a monthly basis. This is done at the JPMC on-line portal.
 - b. Ensure all activity listed for the card is a valid purchase.
 - c. Ensure a requisition has been processed and completed through to Invoicing for each purchase. Account numbers are accurately recorded in Munis and JPMC One Card is the vendor for payment.
 - d. The monthly review must be completed by the 25th day of the month

PROCEEDINGS OF THE BOARD OF LEGISLATORS

More Detailed Examples of Purchases, processing within Munis and key actions

1. Make a purchase on the internet – Amazon for example.
 - a. In the preferred scenario, obtain the cost of the purchase, create a requisition in Munis. Receive approval for the requisition from Department Head and County Manager. It is important that JPMC One Card is the vendor entered in Munis. (To be revised if needed).
 - b. Complete the purchase on Amazon using the credit card for payment.
 - c. When the order is received, complete the process in Munis by receiving the purchase and processing an invoice for payment. As noted above in some circumstances, receiving and invoicing is complete in advance of actual receipt of the goods.
 - d. In the first step of this scenario, if the item is ordered immediately on the internet, it is required to follow that action with the requisition entry and approval.
 - e. If the purchase is for an annual subscription or something similar, ensure that automatic renewal is not set up. These purchases must be completed every year.
2. Make a purchase at a local retail store – Lowville Farmer’s Coop.
 - a. Use the JPMC One card to purchase an item at the store.
 - b. Take the receipt back to your department. Enter the requisition in Munis, receive approval for the purchase from Department Head and County Manager. The vendor for the requisition in Munis will be JPMC One Card.
 - c. Receive the order in Munis and process the invoice for payment.
3. Reserve a room for a conference with a hotel.
 - a. Complete a travel request with approval from Department Head and County Manager for the expenditures to include lodging.
 - b. Contact the hotel. Reserve the room using the JPMC credit card. Provide the hotel with necessary tax-exempt documentation.
 - c. Enter a requisition in Munis – make sure to use JPMC one card as the vendor. Approval will be provided by Department Head and County Manager in Munis.
 - d. Attend the conference and finalize the charges on the credit card. Receive the purchase in Munis and enter the invoice for payment.
4. Telephone order and purchase
 - a. Inform the vendor that the purchase will be made on behalf of Lewis County and that the purchase will be tax exempt.
 - b. Complete the purchase with the card – approval should already have been provided by Department Head.
 - c. Receive receipt from the vendor – this is important with phone purchases.
 - d. Complete the regular Munis entry – requisition, approval, receiving and invoice entry. Ensure that the vendor is JPMC One card.

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Lewis County Purchasing Card Authorized User application

Please fill in all information as requested.

Request for a: Departmental Card Individual Card

Department Name: _____

Individual Cardholder name, if applicable: _____

Requested Limit: \$ _____

Date of birth: _____

Individual Home Address:

Employee Signature Date

Department Head Date

County Treasurer Date

County Manager Date

This section for County Treasurer use

Date card received and forwarded to employee: _____

Card Number: _____

Credit Limit Assigned: _____

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Lewis County Purchasing Card
Acknowledgment of Card Receipt
And Card Holder Agreement

Please read and sign page two of this form.

Employee Name: _____

Department: _____

Card Number: _____

Monthly limits are: \$ _____

You are being entrusted with a Lewis County Purchasing Card issued by Visa through JP Morgan Chase Bank. The card is provided to you to take care of your need to purchase materials or services for the County. The card may be revoked at any time without your permission.

I understand that I will be making financial commitments on behalf of the County and will strive to obtain the best value for the County when making purchases.

This purchasing card is issued in my, or my Department's name. I will not allow any other person to use the assigned card.

I have read the Lewis County Purchasing Card Policy and Procedures as well as this cardholder agreement, understand them, and I will comply with both. Failure to do so may be considered misappropriation of funds, and may subject me to revocation of card privileges and disciplinary action.

I understand that the policies and procedures related to the Purchasing Card Program may be updated or changed at any time. The Card Administrator will notify me of these changes. I agree to and will be responsible for the execution of any program changes.

I will review and approve transactions on a regular basis via the on line bank portal and will reconcile the monthly statement and resolve any discrepancies by contacting either the vendor or JP Morgan Chase.

I will use the card only for authorized purchases.

I will obtain an electronic or hard copy receipt from the vendor each time the card is used. When ordering by phone or via the Internet, I will request the vendor provide me with a receipt. If the receipt is lost and cannot be replaced by the vendor, any charges for a copy through JP Morgan Chase Bank will be paid at my expense.

I understand that my card account is subject to internal control reviews and audits to protect the interests of Lewis County and I agree to comply with these reviews and audits.

I am responsible for immediately notifying JP Morgan Chase Bank, my supervisor and the County Treasurer if the card is lost or stolen. I will complete the Lost or Stolen Card form and submit it to the County Treasurer.

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Upon resignation/separation, or the request of my Department Head or the County Treasurer, I will turn in the card to the Department Head.

Your signature below indicates that you have read the Purchasing Card Policy manual and will comply with the manual and the terms of this user agreement.

Employee Signature: _____ Date _____

County Treasurer: _____ Date _____

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Lewis County – Purchasing Card
Bank- Visa
Lost/Stolen Card Notification Form

Name / Department of Cardholder: _____

Cardholder Account Number _____

I certify that the Visa card has been lost/stolen. I first noticed it was missing on _____ (Date). I have called JP Morgan Chase Bank at 1-800-xxx-xxxx and have also spoken with my Department Head and County Treasurer to notify them that the card is lost/stolen so that no more charges may be made on it.

Cardholder Signature _____

Department Head Signature _____

Upon completion of this form, email it directly to the County Treasurer treasurer@lewiscounty.ny.gov.

PROCEEDINGS OF THE BOARD OF LEGISLATORS



**Department of
Taxation and Finance**

September 16, 2021

Lewis County
Lewis County Court House
7660 North State St
Lowville NY 13367

Dear Sir or Madam:

The Tax Law exempts New York State governmental entities such as your organization, Lewis County, from the payment of New York State and local sales and use taxes on their purchases. In order to make tax exempt purchases, a New York State governmental entity must present vendors with the entity's official purchase order or other documentation (e.g., payment voucher, contract of sale, Form AC 946, *Tax Exemption Certificate*, Form ST-129, *Exemption Certificate - Tax on occupancy of hotel rooms*, etc.) which indicates that the purchaser is a New York State governmental entity.

Tax exemption numbers and Form ST-119.1, *Exempt Organization Exempt Purchase Certificate*, are not issued to New York State governmental entities. If a vendor requests a tax exemption number or Form ST-119.1, *Exempt Organization Exempt Purchase Certificate*, from you, Lewis County may give the vendor a copy of this letter. This will assure the vendor that a governmental purchase order, or other evidence that Lewis County is the purchaser, and this letter are the only documentation the vendor needs in order to not collect sales tax.

For additional information, please refer to Publication 843, *A Guide to Sales Tax in New York State for Exempt Organizations*, which is available on the New York State Tax Department website at www.tax.ny.gov.

New York State Department of Taxation and Finance
OTPA-Taxpayer Guidance Division
Sales Tax Exempt Organizations Unit

A handwritten signature in cursive script, appearing to read "Luis J. Vukobratovic".

Lewis County Treasurer



OCTOBER 5, 2021
 Department of Taxation and Finance
New York State and Local Sales and Use Tax
Exemption Certificate
 Tax on occupancy of hotel or motel rooms

ST-129
(2/18)

This form may only be used by government employees of the United States, New York State, or political subdivisions of New York State.

Name of hotel or motel		Dates of occupancy		
Address (number and street)		City	State	ZIP code
		From:		To:
				Country

Certification: I certify that I am an employee of the department, agency, or instrumentality of New York State, the United States government, or the political subdivision of New York State indicated below; that the charges for the occupancy of the above business on the dates listed have been or will be paid for by that governmental entity; and that these charges are incurred in the performance of my official duties as an employee of that governmental entity. I certify that the above statements are true, complete, and correct, and that no material information has been omitted. I make these statements and issue this exemption certificate with the knowledge that this document provides evidence that state and local sales or use taxes do not apply to a transaction or transactions for which I tendered this document, and that willfully issuing this document with the intent to evade any such tax may constitute a felony or other crime under New York State Law, punishable by a substantial fine and a possible jail sentence. I understand that the vendor is a trustee for, and on account of, New York State and any locality with respect to any state or local sales or use tax the vendor is required to collect from me; that the vendor is required to collect such taxes from me unless I properly furnish this certificate to the vendor; and that the vendor must retain this certificate and make it available to the Tax Department upon request. I also understand that the Tax Department is authorized to investigate the validity of tax exemptions claimed and the accuracy of any information entered on this document.

Governmental entity (federal, state, or local)		Agency, department, or division		
Employee name (print or type)	Employee title	Employee signature	Date prepared	

Instructions

Who may use this certificate

If you are an employee of an entity of New York State or the United States government and you are on official New York State or federal government business and staying in a hotel or motel, you may use this form to certify the exemption from paying state-administered New York State and local sales taxes (including the \$1.50 hotel unit fee in New York City).

New York State governmental entities include any of its agencies, instrumentalities, public corporations, or political subdivisions.

Agencies and instrumentalities include any authority, commission, or independent board created by an act of the New York State Legislature for a public purpose. Examples include:

- New York State Department of Taxation and Finance
- New York State Department of Education

Public corporations include municipal, district, or public benefit corporations chartered by the New York State Legislature for a public purpose or in accordance with an agreement or compact with another state. Examples include:

- Empire State Development Corporation
- New York State Canal Corporation
- Industrial Development Agencies and Authorities

Political subdivisions include counties, cities, towns, villages, and school districts.

The United States of America and its agencies and instrumentalities are also exempt from paying New York State sales tax. Examples include:

- United States Department of State
- Internal Revenue Service

Other states of the United States and their agencies and political subdivisions do not qualify for sales tax exemption. Examples include:

- the city of Boston
- the state of Vermont

To the government representative or employee renting the room

Complete all information requested on the form. Give the completed Form ST-129 to the operator of the hotel or motel upon check in or when you are checking out. You must also provide the operator with proper identification. Sign and date the exemption certificate. You may pay your bill with cash, a personal check or credit/debit card, or a government-issued voucher or credit card.

Note: If you stay at more than one location while on official business, you must complete an exemption certificate for each location. If you are in a group traveling on official business, each person must complete a separate exemption certificate and give it to the hotel or motel operator.

To the hotel or motel operator

Keep the completed Form ST-129 as evidence of exempt occupancy by New York State and federal government employees who are on official business and staying at your place of business. The certificate should be presented to you when the occupant checks in or upon checkout. The certificate must be presented no later than 90 days after the last day of the first period of occupancy. If you accept this certificate after 90 days, you have the burden of proving the occupancy was exempt. You must keep this certificate for at least three years after the later of:

- the due date of the last sales tax return to which this exemption certificate applies; or
- the date when you filed the return.

This exemption certificate is valid if the government employee is paying with one of the following:

- cash
- personal check or credit/debit card
- government-issued voucher or credit card

Do not accept this certificate unless the employee presenting it shows appropriate and satisfactory identification.

Note: New York State and the United States government are not subject to locally imposed and administered hotel occupancy taxes, also known as *local bed taxes*.

Substantial penalties will result from misuse of this certificate.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 258 - 2021
RESOLUTION AUTHORIZING DISTRIBUTION TO CERTAIN VILLAGES TO
ASSIST IN WATER/SEWER INFRASTRUCTURE
EXPENSES AND IMPROVEMENT COSTS**

Introduced by Legislator Jerry King, Chair of the General Services Committee and Thomas Osborne, Chair of the Finance & Rules Committee.

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, Port Leyden and Turin; 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 \$75,991.76 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	\$3,983.13
Village of Copenhagen	\$1,510.60
Village of Croghan	\$7,285.67
Village of Lowville	\$53,463.71
Village of Lyons Falls	\$3,400.25
Village of Port Leyden	\$5,704.72
Village of Turin	<u>\$643.68</u>
Total paid in 2021:	\$75,991.76

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 Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

RESOLUTION NO. 259 - 2021

OCTOBER 5, 2021

**RESOLUTION TO APPROPRIATE FUNDS FOR
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator, Andrea Moroughan, Chair of the Health & Human Service Committee.

NOA#PY-21-2

Section 1. That the following funds be appropriated for Program Year 2021 for the period July 1, 2021 through June 30, 2023 for the Adult and Dislocated Worker programs per the Notice of Obligational Authority (NOA), #PY21-2, dated August 11, 2021 through the New York State Department of Labor.

Increase Revenue:

CD629300 347910 WIA	\$ 28,614.40
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Increase Expenditures:

DISLOCATED WORKER

CD629100 110100 Wages	\$ 5,000.00
CD629100 801000 Retirement	\$ 400.00
CD629100 803000 FICA	\$ 690.00
CD629100 804000 Compensation	\$ 110.00
CD629100 806000 Health Insurance	\$ 2000.00
CD629100 807000 Dental Insurance	\$ 200.00
CD629100 499900 OJT/CRT Checkbook	\$ 8,130.08
	\$ 16,530.08

ADULT

CD629200 110100 Wages	\$ 5,000.00
CD629200 490900 Contractual	\$ 40.00
CD629200 801000 Retirement	\$ 800.00
CD629200 803000 FICA	\$ 1,023.32
CD629200 804000 Compensation	\$ 400.00
CD629200 806000 Health Insurance	\$ 1,500.00
CD629200 807000 Dental Insurance	\$ 300.00
CD629200 499900 OJT/CRT Checkbook	\$ 3,021.00
	\$ 12,084.32

Section 2. That the within shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 260 - 2021
RESOLUTION AWARING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND BRONZE CONTRACTING, LLC**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**FOR SITE CLEAN UP AND REMOVAL SERVICES AT THE CONDEMNED AND
CONTAMINATED TURIN BRICK BLOCK BUILDING SITE**

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

WHEREAS, pursuant to the prior condemnation of the property known as the Brick Block Building in Turin, NY, the fire causing a total collapse of the structure with contaminated materials and the determination that this is an unsafe structure and danger to the community, authorization from the Lewis County Board of Legislators authorized, the County Attorney, with the assistance of the Development Authority of the North Country (DANC), and with consultation with Mayor of the Village of Turin, to send out a request for proposals (RFP) for construction site clean up, removal and restoration services required by NYS, of the downed building materials and contaminated debris; and

WHEREAS, the RFP was sent out in early September, 2021, which set forth a base bid for mobilization/demobilization and site clean up of bulk asbestos, including delivery to landfill with the County paying the reduced tipping fees directly. The RFP also included alternate bid 1 – removal of the entire foundation beyond what was identified in the base bid; alternate bid 2 – backfill of the excavated area; and alternate bid 3- topsoil, final grading and re-established turf; and

WHEREAS, a site visit was held for interested bidders on September 22, 2021. Addenda No. 1 and answers to all bidder questions were posted and sent to all potential bidders thereafter; and

WHEREAS, two (2) bids received were opened in the Lewis County Legislative Chamber on September 29, 2021 at 3:00 pm. The DANC engineer, County Attorney, Village of Turin Mayor, County Legislator and Clerk of the Board were present to open the bids. After careful review of the bids by this team and consultation with Highway Superintendent, the County Attorney recommends that the Board award the contract to the lower bidder, Bronze Contracting, LLC, of Remsen, NY, to provide the services under the Base Bid (\$78,600.00) and Alternate Bid No. 1 – Removal of Entire Foundation (\$14,300.00) for a total compensation of \$ 92,900.00, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the backfill, top soil and grading of the excavated area will be undertaken by the Lewis County Highway Department and Town of Turin Highway Department personnel, with seeding to be provided by Lewis County Soil & Water. The County will be responsible for the tipping fees at the DANC landfill based upon a 50% discount at \$40.00/ton, the NYS DOL asbestos notification fee, if not waived, and the costs of its Highway Department labor costs. The final estimated cost of the project as outlined is estimated to be \$200,000.00 – \$220,000.00.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Bronze Contracting, LLC, with offices at 9188 State Route 12, Remsen, NY 13438, to provide site clean up and removal services, including removal of the foundation at the

OCTOBER 5, 2021

Turin Brick Block condemned site in Turin, NY, in accordance with the terms and conditions of the RFP and all Federal, State and Local laws and regulations.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions, requirements and terms recommended by the County Attorney, at a cost of \$92,900.00, with the services to be undertaken and completed on or before December 3, 2021.

Section 3. That the Lewis County Board of Legislators authorizes and directs that the funding for this clean up project come from the County's American Recovery Plan funds.

Section 4. That the following budget transfers are hereby approved utilizing Capital Reserve Account HAZ – American Rescue Plan Act:

Transfer from:

H0 162000 340890 ARPA General Revenue \$220,000.00

Transfer to:

H0 172000 340890 ARPA Program Revenue \$220,000.00

Transfer from:

H0 162000 499900 ARPA General Expenditures \$220,000.00

Transfer to:

H0 172000 499900 ARPA Program Expenditures \$220,000.00

Section 5. That the County Attorney is directed to draft a shared services agreement between the County Highway Department and the Town and Village of Turin, with respect to the Turin municipalities provision of water, trucking, equipment, backfill and grading services in the clean up of this property.

Section 6. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreements and any amendments or change orders thereto, upon review and approval by the County Attorney.

Section 7. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator King, and adopted on the 5th day of October, 2021.

**RESOLUTION NO. 261 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services as follows:

<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Senior Account Clerk	Full-Time	Grade 19 (\$18.52-\$20.01/hr.)

Section 2. That Social Services Commissioner, Jennifer Jones is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 5th day of October, 2021.

OTHER BUSINESS:

There was a proclamation read commemorating all Lewis County Museums for their efforts in preserving our local history.

There being no other business to come before the board Legislator Chartrand made a motion to adjourn at 5:56 p.m., seconded by Legislator Virkler and carried.

NOVEMBER 2, 2021

**FIRST DAY
ANNUAL SESSION
November 2, 2021**

The meeting was called to order at 5:10 p.m. by the Chairman of the Board, Lawrence Dolhof.

Roll Call: 9 Legislators were present, Legislators Burns had been excused. There were 16 other persons in attendance.

Legislator Gilbert gave the invocation. Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the October 5, 2021 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
Ian Gilbert
Gregory Kulzer
Philip Hathway

Dated: November 2, 2021

Legislator Virkler made a motion to waive the rules, seconded by Legislator Kulzer and carried.

PRIVILEGE OF THE FLOOR:

Erik Griffin of Lowville, NY questioned why Resolution No. 262-2021 which was auditing and allowing claims to be paid in the amount of \$1,966,123.92 didn't provide detail on each expense as that is a large amount of money. He cited other organizations, like the American Legion, that provide detail on how they are spending funds. It was explained that Legislators each receive a list of these claims each month and the public can obtain a copy through a FOIL request from the County Attorney's Office.

He voiced his concerns with the Lewis County General Hospital billing process stating that several people have been receiving invoices from inside the state and from outside of the state. He went on to question how the hospital went from being in the red ink to now being in the black ink. The Chairman reminded Mr. Griffin that privilege of the floor is to make a statement to the Board of Legislators not a dialogue session. Mr. Griffin exclaimed "You don't deserve to be a politician!" He continued by explaining that he was running to be a voice for the people, who are the ones who decide which way government should go.

He called on the legislators to start telling the truth about what is going on and stop playing games. Chairman Dolhof stated that he wasn't aware of any legislator who was playing games. Mr. Griffin explained that by not answering his question about how the hospital got out

PROCEEDINGS OF THE BOARD OF LEGISLATORS

of the red and into the black was playing games. He concluded by stating that his source, who is in insurance, told him that the county no longer owns the hospital.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

A resolution from Livingston County was received Supporting Operation Green Light for Active Military Service Members in Transition to Civilian Life.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the Highway & Solid Waste October Audit reports. Senior Codes Officer, Ward Dailey submitted a report on an unsafe structure located at 6551 Number Four Road in the Town of Watson.

The 2022 Tentative County Budget has been filed with the Clerk of the Board by Budget Officer Ryan Piche. The semi-annual report of mortgage tax receipts and disbursements was received from the County Clerk and County Treasurer for the period of April 1, 2021 through September 30, 2021. The following report of apportionment of mortgage tax totaling \$265,543.69 was distributed to each Legislator and was presented to the County Treasurer along with the warrant:

APPORTIONMENT OF MORTGAGE TAX
April 1, 2021 through September 30, 2021

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		401,823,569	\$27,422.69
Village of Croghan	0.025465426	20,465,217	<u>\$ 716.58</u>
			\$28,139.27
Town of Denmark		318,079,397	\$40,507.12
Village of Castorland	0.025444089	16,186,481	\$ 1,131.27
Village of Copenhagen	0.063485622	40,386,937	<u>\$ 2,822.64</u>
			\$44,461.03
Town of Diana		199,816,694	\$20,666.48
Town of Greig		244,173,570	\$23,474.83
Town of Harrisburg		113,963,091	\$ 4,002.11
Town of Lewis		83,311,535	\$ 7,496.94
Town of Leyden		118,800,420	\$ 7,429.81
Village of Port Leyden	0.073131509	17,376,108	<u>\$ 586.23</u>
			\$ 8,016.04

NOVEMBER 2, 2021

Town of Lowville		459,875,980	\$32,150.47
Village of Lowville	0.295573227	271,854,055	<u>\$13,490.15</u>
			\$45,640.62
Town of Lyonsdale		109,385,029	\$ 4,766.46
Village of Lyons Falls	0.041620001	9,105,210	\$ 213.57
Village of Port Leyden	0.029505048	6,454,821	<u>\$ 151.40</u>
			\$ 5,131.43
Town of Martinsburg		238,274,755	\$ 6,468.93
Town of Montague		39,463,567	\$ 3,890.80
Town of New Bremen		200,756,288	\$20,564.32
Village of Croghan	0.038655962	15,520,855	<u>\$ 826.90</u>
			\$21,391.22
Town of Osceola		56,211,286	\$ 5,306.76
Town of Pinckney		45,712,051	\$ 3,990.78
Town of Turin		88,478,021	\$ 8,681.89
Village of Turin	0.074581941	13,197,725	<u>\$ 699.70</u>
			\$ 9,381.59
Town of Watson		226,550,752	\$17,097.86
Town of West Turin		155,222,685	\$ 9,323.99
Village of Conatbleville	0.047834377	14,849,961	\$ 525.56
Village of Lyons Falls	0.103527503	32,139,634	<u>\$ 1,137.46</u>
			\$10,987.00
		GRAND TOTAL	\$265,543.69
To County of Lewis			<u>\$134,433.38</u>

Thomas Osborne, Chairman
Ronald Burns
Ian Gilbert
Gregory Kulzer
Philip Hathway
Finance & Rules Committee

Dated: November 2, 2021

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 \$265,543.69 from the tax on mortgages from April 1, 2021 through September 30, 2021 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 2021.

Lawrence L. Dolhof, Chairman
Cassandra Moser, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Moroughan made a motion to authorize Social Services Commissioner, Jennifer Jones to refill one (1) full-time Senior Account Clerk position effective immediately due to resignation, seconded by Legislator Virkler and carried.

Legislator Moroughan made a motion to authorize Social Services Commissioner, Jennifer Jones to refill one (1) full-time Employment & Training Specialist position effective immediately due to resignation, seconded by Legislator Chartrand and carried

Legislator Moroughan made a motion to authorize Public Health Director, Ashley Waite to refill one (1) full-time Fiscal Manager position effective immediately due to internal transfer, seconded by Legislator Virkler and carried.

Legislator Moroughan made a motion to authorize Public Health Director, Ashley Waite to refill one (1) full-time Public Health Specialist position effective immediately and any associated backfills, seconded by Legislator King and carried.

Legislator Moroughan made a motion to authorize Public Health Director, Ashley Waite to refill one (1) full-time Senior Account Clerk position effective immediately due to resignation, seconded by Legislator Virkler and carried.

Legislator Chartrand reported that the May Employee of the month was Keith Kelly, Food Service Helper; June Employee of the month was Rochelle Sullivan, RN; and July Employee of the Month was Duane Carpenter, Physical Therapist. He voiced his opinion that the recent article in the newspaper regarding the hospitals efforts through compensation to try and recruit and retain employees was well written.

COUNTY MANAGER REPORT:

NOVEMBER 2, 2021

County Manager, Ryan Piche reported that the 2022 Tentative Lewis County Budget has been delivered to each legislator tonight as well as electronically. The document will be posted on the Lewis County website shortly. The Capital Budget has been printed and distributed as well. The budget hearing will be Thursday, November 18th at 5:00 p.m., this will be an opportunity for the public to voice any thoughts or concerns. From there the board can adopt the budget at any time going forward. Any amendments to the budget at this point will need to be made by resolution so legislators can reach out to the Clerk of the Board or the County Manager. A motion can be made on the floor at the meeting and will be reduced into a resolution.

COUNTY TREASURER REPORT:

County Treasurer, Eric Virkler reported that assisting with the 2022 Tentative Budget has taken up most of his time along with his staff assisting Human Resources on CSEA calculations.

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 \$ 1,966,123.92 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: November 2, 2021

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

NOVEMBER 2, 2021

**RESOLUTION NO. 262 – 2021
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 \$ 1,966,123.92 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Hathway, seconded by Legislator King, and adopted on the 2nd day of November, 2021 by the following roll call vote:

AYES: Hathway, Chartrand, Kulzer, Osborne, Virkler, Gilbert, Moroughan, King, and Dolhof

NAYS: None

ABSENT: Burns

**RESOLUTION NO. 263 - 2021
RESOLUTION TO SET PUBLIC HEARING ON
2022 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 2022 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 18th day of November, 2021 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 264 - 2021
RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND THE TOWN OF GREIG FOR FLOOD DAMAGE
PREVENTION ADMINISTRATION AND ENFORCEMENT**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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/Villages 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 Town of Greig has enacted a local law or ordinance related to Flood Damage Prevention Administration and Enforcement and designated 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, pursuant to Article 5-G of the General Municipal Law and Town Law § 284 [4](d), the County and Town/Village are authorized to enter into intermunicipal agreements to carry out all or a portion of the ministerial functions related to land use regulation within such Town/Village and to provide for land use administration and enforcement programs and activities provided for herein; 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 certain ministerial functions for the purpose of administering and enforcing the zoning and land use regulations that pertain to Floodplain Damage and Prevention, including to act as the Local Administrator on behalf of the Town, in accordance with Federal and State floodplain prevention regulations and the Town of Greig Floodplain Management Program under its local law;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Intermunicipal Agreement between the County of Lewis and the Town of Greig for the Lewis County Codes Department to be designated as the Town’s “Local Administrator” under its local law, to administer and implement the regulations of the Town of Greig’s Flood Plan Management Program, including enforcement, together with the Federal and State Floodplain Management 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 Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

NOVEMBER 2, 2021

**RESOLUTION NO. 265 - 2021
RESOLUTION APPOINTING MEMBERS TO
COMMUNITY SERVICES BOARD**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board 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 Julie Grau, South Lewis Central School, Turin, NY 13473 as a member of the Lewis County Community Services Board for a term that shall be effective January 1, 2022 through December 31, 2025.

Section 2. That Anna Platz, Lewis County Public Health, Lowville, NY 13367 is hereby appointed to the Lewis County Community Services Board to fill the un-expired term of Ashley Waite, effective 11/3/2021 through December 31, 2023.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 266 - 2021
RESOLUTION APPOINTING MEMBERS TO
MENTAL HEALTH SUB-COMMITTEE OF
COMMUNITY SERVICES BOARD**

Introduced by Legislator Andrea Moroughan, 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 Anna Platz, Lewis County Public Health, Lowville, NY 13367 as a member of the Mental Health Sub-Committee to fill the un-expired term of Ashley Waite, effective November 3, 2021 through December 31, 2022.

Section 2. That this resolution shall take effect immediately.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 267 - 2021
RESOLUTION APPOINTING MEMBERS TO
SUBSTANCE USE DISORDER SUB-COMMITTEE OF
COMMUNITY SERVICES BOARD**

Introduced by Legislator Andrea Moroughan, 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 Julie Grau, South Lewis Central School, Turin, NY 13473 as a member of the Substance Use Disorder Sub-Committee for a term that shall be effective January 1, 2022 through December 31, 2025.

Section 2. That Cassie Forbus of Lowville, NY 13367 is hereby appointed to the Substance Use Disorder Sub-Committee to fill the un-expired term of Kyle Chartrand, effective 11/3/2021 through December 31, 2024.

Section 3. That Christopher Paige of Lowville, NY 13367 is hereby appointed to the Substance Use Disorder Sub-Committee to fill the un-expired term of Ashley Waite, effective November 3, 2021 through December 31, 2021, and then for another 4 year term commencing on January 1, 2022 through December 31, 2025.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 268 - 2021
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN LEWIS COUNTY COMMUNITY SERVICES AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES**

Introduced by Legislator Andrea Moroughan, Chair of the Health and Human Services Committee.

NOVEMBER 2, 2021

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 at a reasonable cost; and

WHEREAS, the Community Services Board receives state aid funding for some of these services by providers, and may receive adjustments to the initial state aid funding for each named provider agency based upon a Cost Of Living Adjustment (“COLA”) or other funding adjustment determined by the state; and

WHEREAS, the Community Services Board has met to consider the proposed agreements with the following service providers and has resolved to recommend to the Board of Legislators to enter into three (3) year contracts, subject to annual modification in the amounts payable to the providers, including any COLA funding adjustment granted by the state for each year’s funding;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes three-year Agreements between the County of Lewis and the following various providers for program services, with the following amounts set forth for as the 2022 funding, plus any financial adjustment(s) made by the State to said annual amount for COLA:

2022 FUNDING

CONTRACTOR	PURPOSE	AMOUNT
Transitional Living Services of Northern NY	Community Based Programs	\$709,473.00
<u>Oneida-Lewis Chapter, NYSARC</u>	Vocational Training Services	\$30,319.00
Mountain View Prevention Services	Community Prevention Education	\$244,141.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NRCIL	<ul style="list-style-type: none"> • Family Support Services • Mental Health Advocacy & Psychosocial Club • MICA • Transition Management • Peer Recovery Services • Self Help Program and • Outreach Peer Advocate 	\$835,636.00
Credo Community Center for Treatment of Addictions, Inc.	Outpatient Medically Supervised Chemical Dependence Treatment Services	\$80,027.00
Coordinated Care Services, Inc.	Professional, Specialized Financial Management Services and Training	\$110.00 per hour (Not to exceed \$21,620.00)
One Path Career Partners, Inc.	Psychological Services - AOT evaluations & Court Testimony	\$325.00 per hour & mileage
Rubenzahl, Knudsen & Associates	Psychological Services	\$125.00 per hour for psychological exams \$150.00 per hour for court testimony Not to exceed \$500.00 without prior approval

Section 2. That the term of said Agreements shall be from January 1, 2022 through December 31, 2024, with annual review and modification based upon the annual funding awarded by the State, together with any annual COLA adjustment. The County shall have the right to terminate the Agreement upon 180 days prior written notice to the service provider. The term for Coordinated Care Services, Inc., One Path Career Partners, Inc. and Rubenzahl, Knudsen & Associates shall be for a one (1) year term commencing on January 1, 2022 through December 31, 2022.

Section 3. That the Lewis County Board of Legislators hereby authorizes the Treasurer to adjust the appropriation upon receipt of any adjustment notification from the state.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements and any modifications thereto, pending approval 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 2nd day of November, 2021.

NOVEMBER 2, 2021

**RESOLUTION NO. 269 - 2021
RESOLUTION TO APPROPRIATE FUNDS
Community Service**

Introduced by Legislator Andrea Moroughan, Chairman 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 Revenues:

A0432400 334922 NRCIL	\$13,126.00
A0431800 334915 TLS	\$ 8,128.00
A0432600 334917 ARC OMH	\$ 243.00
A0432500 334914 MVPS	\$ 1,809.00
A0431900 334921 CREDO	<u>\$ 450.00</u>
	\$23,756.00

Increase Expenditures:

A0432400 422800 NRCIL	\$13,126.00
A0431800 422800 TLS	\$ 8,128.00
A0432600 422800 ARC OMH	\$ 243.00
A0432500 422800 MVPS	\$ 1,809.00
A0431900 422800 CREDO	<u>\$ 450.00</u>
	\$23,756.00

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 270 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND
TOWNS OF HARRISBURG AND PINCKNEY FOR TRANSFER OF RIVER ROAD
BRIDGE (BIN # 3340140) AND PROVISION OF \$179,000.00 TOWARD COSTS FOR
BRIDGE REMOVAL AND REPLACEMENT WITH CULVERT**

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

WHEREAS, the Lewis County Superintendent of Highways is charged with responsibility for maintenance of bridges within the municipalities comprising Lewis County; and

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WHEREAS, the Superintendent of Highways closed the River Road Bridge (identified as Bridge Bin #3340140) which will be in need of significant repairs and ultimate replacement; and

WHEREAS, the Towns of Harrisburg and Pinckney seek to have the County transfer its title and ownership interest in the bridge property, with the intention of the Towns removing the bridge and replacing it with a culvert and other required materials through the financial assistance from the County in the amount of \$179,000.00 toward the costs of materials for this conversion, subject to receipt of appropriate permit(s) and approvals required by the NYS Department of Environmental Conservation (NYS DEC); and

WHEREAS, the cost to the County in repairing/replacing and maintaining this bridge in the short term and long term will be greater than the financial assistance sought by the Towns in its proposal, and will forever eliminate the County's responsibilities for maintenance of the bridge; and

WHEREAS, the Superintendent of Highways requests that the Board authorize this transfer of ownership to the Towns of Harrisburg and Pinckney to share in the responsibility of removing the bridge and converting for installation of a culvert, subject to the Towns' receipt of proper permit(s) and approvals as may be required by the NYS DEC for conversion from bridge to culvert, and to transfer the amount of \$179,000.00 from the County to the Town of Harrisburg toward the material costs of this undertaking.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes a joint agreement with the Towns of Harrisburg and Pinckney for the transfer of title and ownership of the River Road Bridge, (Bridge Bin #3340140) to the named Towns, together with the sum of \$179,000.00 to the Town of Harrisburg toward the material costs associated with removal of the bridge and replacement of same with appropriate culverts and other required materials, provided that the Towns comply with and receive all necessary permits and approvals from the NYS DEC.

Section 2. That the Lewis County Treasurer is directed to make the following budget transfers and appropriations:

Budget Transfer

Transfer From:

A0 005990 Fund Balance	\$179,000.00
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Transfer To:

A09901000 991200 Interfund Transfer to Hwy	\$179,000.00
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Appropriation

Increase:

D0501000 350310 Interfund Revenue	\$179,000.00
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Increase:

D0501000 490900 CR Admin Misc Exp \$179,000.00

Section 3. That the Chairman or Vice-Chairman of the Lewis County Board of Legislators, together with the Superintendent of Highways is authorized to sign, seal and execute any and all agreements and transfer documents required to give effect to this Resolution, upon review and approval of the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 271 - 2021
RESOLUTION AUTHORIZING AN EXTENSION TO THE
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 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 second of three extensions expired on August 31, 2021, and the NYSDOT and the County wish to extend this agreement through August 31, 2022; and

WHEREAS, the Board of Legislators desires to accept the extension of the shared services agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an extension of 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.

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Section 2. That this Shared Services extension Agreement shall be for the term September 1, 2021 through August 31, 2022, 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 Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 272 - 2021
RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT
FOR SHARED SERVICES HIGHWAY MAINTENANCE
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT AND TOWNS AND
VILLAGES WITHIN THE COUNTY OF LEWIS**

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

Section 2. That the term of the Agreement shall be from January 1, 2021 through December 31, 2022, with automatic annual renewals unless either party provides notice of termination or request for modification.

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Section 3. That the Board of Legislators hereby authorizes the Lewis County Superintendent of Highways, to make, execute, seal and deliver said Agreement, pending approval by the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 273 - 2021
RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 1 TO THE
CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION (NYS DOT) AND LEWIS COUNTY FOR THE
TRANSPORTATION FEDERAL-AID 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, 15% state funds and 5% 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 (ROW) Incidentals Phases of the Project by Resolution No. 140-2020 adopted June 2, 2020; and

WHEREAS, the Superintendent of Highways received notice from the NYS DOT that Supplemental Agreement No. 1 will add funds for the Final Design Phase, covering costs incurred on or after August 31, 2021; by adding the Right-Of-Way (ROW) Acquisition Phase covering eligible costs incurred on or after September 14, 2021; and approval of change from Non-Marchiselli to Marchiselli. This Final Design and ROW Phase will receive an additional \$108,000.00; and

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WHEREAS, in order for the County to receive the full, additional reimbursement, a Supplemental Agreement titled “Supplemental Agreement No. 1 to D040143” must be executed;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes Supplemental Agreement No. 1 to D040143 to the CR 21 over Gulf Stream (PIN 775395; BIN 1039780) NYS DOT Contract, for the additional approved Final Design and ROW Phases, including approved Marchiselli funding and by adding the Right-Of-Way Acquisition Phase.

Section 2. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute Supplemental Agreement No. 1 and all additional 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. 1 to D040143, in connection with the Project.

Section 4. That \$108,000.00 shall be appropriated in the Capital Bridge Program to facilitate the Final Design Phase for the Bridge Replacement on as 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 and to recognize the new Marchiselli funding approved:

Increase Revenues:

H0512000 345970 Federal	\$86,400.00
H0512000335910 State	\$16,200.00
H0512000 350310 Local	\$ 5,400.00
Project HAG	

Increase Expenditure:

H0512000 499900	\$108,000.00
Project HAG	

Increase Revenue:

H0512000 335910 State	\$23,700.00
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Decrease Revenue:

H0512000 350310 Local	\$23,700.00
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Section 5. That the within Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

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**RESOLUTION NO. 274 -2021
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>
Laboratory Technician Trainee	Full-time	\$17.28 - \$22.68/hour

Section 2. That the above shall be effective immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 275 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE CENTER FOR COMMUNITY STUDIES AT
JEFFERSON COMMUNITY COLLEGE AND
COUNTY OF LEWIS ON BEHALF OF OFFICE FOR THE AGING**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Board of Legislators desires to enter into an Agreement with The Center For Community Studies at Jefferson Community College ("The Center") for professional services to compile, cleanse, analyze, and report out the results of a Lewis County Office for the Aging Service Needs Assessment Community Survey for each of the three years 2021, 2022, and 2023; and

WHEREAS, the Lewis County Office for the Aging ("OFA") will distribute and collect the survey using the intercept (face-to-face) methodology, and potentially assist in the utilization of email and mail distribution if necessary. The Center will complete random live telephone interviewing of Lewis County adults in the months of October 2021, October 2022, and July 2023; and

WHEREAS, the Lewis County Board of Legislators wishes to enter into an Agreement with The Center for these services;

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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with The Center For Community Studies at Jefferson Community College for professional services in analyzing survey data that was collected by the Lewis County Office for the Aging, to compile, cleanse, analyze, and report out the results of a Lewis County Office for the Aging Service Needs Assessment Community Survey.

Section 2. That the Lewis County Board of Legislators authorizes and approves compensation of \$20,000.00 to The Center For Community Studies, payable according to the schedule set forth in the agreement. The funds for these services are payable from Office for the Aging stimulus funds under the American Recovery Plan Act.

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 and any amendments thereto, 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 Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 276 - 2021
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN OFFICE FOR THE AGING AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES**

Introduced by Legislator Andrea Moroughan, 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 Lewis County 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
Company, McArdle & Randall, PLLC	Legal Services	\$150.00 per hr. (not to exceed \$10,000 annually)

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Double Play Community Center	Evidenced Based Physical Programs and Workshops	\$576.00 per session-Aquatics \$225.00 per session-Walk w/Ease
Doyle Security Systems (New Entity from S.T.A.T. Communications Merger)	Lifenet Services	\$15.00 Standard Landline Unit \$20.00 Cellular Unit \$20.00 Landline Unit with Fall Pendant \$25.00 Cellular Unit with Fall Pendant \$35.00 Mobile GPS Pendant \$40.00 Mobile GPS Pendant with Fall Detection \$5.00 2 nd Pendant for Spouse or Caregiver
U.S. Care Systems, Inc. (Caregiver Services)	Respite	\$27.62 per hour
U.S. Care Systems, Inc. (EISEP/CSEM Program)	Housekeeping (In-Home Personal Care)	\$27.62 per hr. for Level I \$28.03 per hr. for Level II
Volunteer Transportation Center of Jefferson County, Inc.	Transportation Services	\$1,500.00 per month
Seniors Helping Seniors	Housekeeping/Chore, Respite & “Heavy Chore” Services for Homebound, Ill, or Disabled Residents	\$27.62 per hour
Plan-It Staffing	Consumer Directed In- Home Services under EISEP & CSE	\$23.75 per hour – Entry Level \$26.25 per hour - Experienced
Harris Courts, Inc.	Meal Site Facility	\$150.00 per month for 2022 \$200.00 per month for 2023
United Church of Copenhagen	Meal Site Facility	\$160.00 per month
Maple Ridge Center, Inc.	Meal Site Facility	\$1,200.00 per month

Section 2. That the Agreements shall be for the term commencing on January 1, 2022 through December 31, 2022; with the exception of Harris Courts, Inc. and Volunteer Transportation Center of Jefferson County, Inc., which shall be for a two (2) year term commencing on January 1, 2022 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.

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 277 - 2021
RESOLUTION RE-APPOINTING MEMBER TO
LEWIS COUNTY OPPORTUNITIES, INC.
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 Lewis County Commissioner of Social Services Jennifer Jones of Beaver Falls, NY 13305 as a member of the Lewis County Opportunities, Inc. Board of Directors.

Section 2. The term of said appointment shall be effective for a three-year term from November 24, 2021 to November 24, 2024.

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 278 - 2021
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 Sarah A. Metott of Glenfield, New York 13343, as a member of the Lewis County Planning Board.

Section 2. That the term of said appointment shall be effective from January 1, 2022 through December 31, 2024.

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

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Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 279 - 2021
RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND BIRNIE BUS SERVICE, INC.
FOR TRANSPORTATION SERVICES IN LEWIS COUNTY**

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

WHEREAS, the Lewis County Planning and Community Development Department (“Planning Department”) recently sent out a Request for Proposals for interested and qualified vendors to provide management, operation and maintenance services for the County’s Coordinated Public Transportation System according to the terms and specifications as set forth in the RFP; and

WHEREAS, the Director of Planning, Community Development Program Specialist and Clerk of the Board, were present on October 8, 2021, at 2:00 p.m. to open the two (2) responses to the RFP; and

WHEREAS, after review and consideration of the proposals, the Director of Planning recommends awarding the bid to Birnie Bus Service, Inc., the lowest bidder, in accordance with the specifications and scope of work set forth in the RFP and Bid Documents; and

WHEREAS, the Board of Legislators seeks to award the bid to Birnie Bus Service, Inc. and authorizes 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 Birnie Bus Service, Inc., 248 Otis Street, Rome, New York 13440 to provide management, operation and maintenance services for the County’s Coordinated Public Transportation System according to the terms and specifications as 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, commencing January 1, 2022 through December 31, 2024 with an option to extend for an additional three (3) years upon mutual agreement, at the following rates:

Cost Proposal	2022	2023	2024
	Per Mile Rate		
Route Services	\$2.55	\$2.60	\$2.65
Dial-A-Ride Services	\$2.55	\$2.60	\$2.65

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NEMT Services	\$1.28	\$1.31	\$1.33
	Per Hour Rate		
Bus Aide	\$25.00	\$25.50	\$26.14

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

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

Moved by Legislator King, seconded by Legislator Virkler, and adopted on the 2nd day of November, 2021. Legislator Kulzer abstained.

**RESOLUTION NO. 280 - 2021
RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY TO PROVIDE GRANT
ADMINISTRATION SERVICES AND CONSTRUCTION PROJECT MANAGEMENT
SERVICES UNDER THE NORTHERN BORDER REGIONAL COMMISSION 2021
SEID AND THE CDBG-CV (BROADBAND CONNECTIONS PROJECT) GRANTS**

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

WHEREAS, the County accepted from the Housing Trust fund Corporation and Office of Community Renewal offices of an award of \$747,790.00 under CDBG CARES Act for the County's LMI Broadband Connections Project, identified as Project No 636CVPF9-21); and

WHEREAS, the County also accepted from the Northern Border Regional Commission (NRBC) an award of \$263,053.00 under the 2021 SEID grant for the County's telecommunication infrastructure project plan; and

WHEREAS, pursuant to the Resolution No. 243-2021, the Lewis County Board of Legislators authorized an agreement with the Development Authority of the North Country (DANC), to provide grant administration services to the County under its NBRC telecommunication infrastructure project and plan for Lewis County, at a cost up to \$6,000.00; and

WHEREAS, under both grants, the County Planning Department submitted workplans and costs for grant administration services and project delivery/construction management services; and

WHEREAS, DANC has the expertise and knowledge to serve as the County's partner under these projects as the grant administrator as well as providing project delivery/construction management services required under the work plan; and

WHEREAS, DANC can provide: 1) grant administration services under the CDBG-CV grant project up to \$15,000.00; 2) up to \$30,000.00 in project delivery/construction management

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services under the CDBG-CV project; and 3) up to \$40,000.00 in project delivery/construction management services under the NRBC grant; and

WHEREAS, the Planning Department requests that the Lewis County Board of Legislators approve IMAs with DANC to provide the above identified administrative and project delivery services under these two telecommunication infrastructure projects for Lewis County;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes Inter-Municipal Agreements with DANC to provide: 1) grant administration services under the CDBG-CV LMI Broadband Connections Project, up to \$15,000.00; 2) project delivery/construction management services under the CDBG-CV project, up to \$30,000.00; and 3) up to \$40,000.00 in project delivery/construction management services under the NRBC 2021 SEID grant for the telecommunication infrastructure project; all payable from the respective grant funds awarded.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such Agreements, amendments or extensions thereto, and all other required documents necessary to carry out the terms of this Resolution, upon review and approval of 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 2nd day of November, 2021.

RESOLUTION NO. 281 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE NEW YORK STATE STOP-DWI FOUNDATION AND THE
LEWIS COUNTY STOP DWI PROGRAM FOR PROJECT CRACKDOWN AND
APPROPRIATION OF FUNDS

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

WHEREAS, while STOP-DWI efforts across New York have led to significant reductions in the number of alcohol and drug related fatalities, still too many lives are being lost because of crashes caused by drunk or impaired drivers. Highly visible, highly publicized efforts like the STOP-DWI High Visibility Engagement Campaigns aim to further reduce the incidence of drunk and impaired driving. Research shows that high-visibility enforcement can reduce drunk driving fatalities by as much as 20%. Sobriety checkpoints and roving patrols play a key part in raising awareness about the problem; and

WHEREAS, the Lewis County STOP DWI Program Coordinator has received \$17,500.00 from the grant award to participate in New York State's Highway Safety Program for

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the statewide Project Crackdown and to engage the public with education materials of the dangers of impaired driving; and

WHEREAS, the Board of Legislators wishes to accept such grant award and appropriate the funds; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Lewis County STOP DWI Program and the NYS STOP-DWI Foundation for the purpose of receiving a grant award in the amount of \$17,500.00 to participate in New York State's Highway Safety Program to reduce the number of crashes, injuries and deaths on New York's roads.

Section 2. That the Crackdowns are scheduled as follows:

Halloween:	October 29 – November 1, 2021
Thanksgiving:	November 24 – 28, 2021
Holiday Season:	December 17, 2021 – January 1, 2022
Super Bowl:	February 11-14, 2022
St Patrick's Day:	March 16-20, 2022
Memorial Day:	May 27 – 31, 2022
July 4 th :	July 1 – 5, 2022
Labor Day:	August 19 – September 5, 2022

Section 3. That the Board of Legislators authorize the following budget appropriation:

Increase Revenue:

A0331500 333110 DWI Traffic Safety Grant Revenue	\$17,500.00
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Increase Expenditure:

A0331500 492400 DWI Traffic Safety Grant Expense	\$17,500.00
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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 amendments, addenda or appendices required under said funding, pending review and approval 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 2nd day of November, 2021.

**RESOLUTION NO. 282 - 2021
RESOLUTION TO ACCEPT ADDITIONAL COVID-19 VACCINE RESPONSE
GRANT FUNDS FROM NEW YORK STATE DEPARTMENT OF HEALTH**

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Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Board of Legislators authorized an agreement between Lewis County Public Health (“Public Health”) and New York State Department of Health (“NYS DOH”) (Contract No.: C36937GG) to promote and increase COVID-19 vaccine and other vaccine uptake in the amount of \$68,134.51, retroactive to January 1, 2021 through June 20, 2024 pursuant to Resolution No. 250-2021; and

WHEREAS, Public Health has been awarded additional funds under this Contract in the amount of \$108,527.63 from NYS DOH (Contract No.: C36937GG) to promote and increase COVID-19 vaccine administration equity and to implement vaccine confidence strategies for COVID-19 and routine vaccinations; and

WHEREAS, this additional funding may be used for COVID-19 vaccine implementation expenses retroactive to January 1, 2021 and is available through June 30, 2024; and

WHEREAS, the Lewis County Board of Legislators wishes to accept the grant and enter into the contract for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the agreement between Lewis County Public Health and New York State Department of Health (Contract No.: C36937GG) for additional grant funds to promote and increase COVID-19 vaccine administration equity and to implement vaccine confidence strategies for COVID-19 and routine vaccinations in the amount of \$108,527.63, retroactive to January 1, 2021 through June 20, 2024.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver any amendment or other documents which may be required to give effect to receipt of these additional funds.

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 283 - 2021
RESOLUTION AUTHORIZING EXTENSION TO AGREEMENT
BETWEEN THE LEWIS COUNTY PUBLIC HEALTH AND
JAMES MCGUINNESS & ASSOCIATES, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

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WHEREAS, the County of Lewis, by and through Lewis County Public Health, (“County”) entered into an agreement with James McGuinness & Associates, Inc., on September 6, 2017 pursuant to Resolution No. 347-2017 for the purchase of a software program and maintenance services to be used for the Preschool Program. The contract was extended for two (2) years pursuant to Resolution No. 464-2019 for a term ending December 31, 2021; and

WHEREAS, the County desires to enter into a one (1) year Extension Agreement with James McGuinness & Associates, Inc. for the term beginning January 1, 2022 through December 31, 2022, with automatic one (1) year renewal terms; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the extension to the agreement with James McGuinness & Associates, Inc. for maintenance and support of the software program for the Preschool Program.

Section 2. That this is for the term beginning January 1, 2022 through December 31, 2022, at a cost of \$9,500.00, with automatic renewal for one year terms, unless terminated by either party upon ninety (90) days prior written notice.

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 2nd day of November, 2021.

**RESOLUTION NO. 284 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AND VENESKY & COMPANY
FOR PROFESSIONAL ACCOUNTING SERVICES**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Public Health Agency (“Agency”) wishes to enter into an agreement with Venesky & Company, to provide professional accounting and consulting services to assist with the annual Cost Report for the Diagnostic & Treatment Center (D&TC) Program; and

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WHEREAS, the services include conducting an onsite visit; prepare and maintain a Cost Report Reference Manual; review and prepare the Medicaid Cost Report; prepare an extensive Report to Management for the D&TC at the conclusion of the cost reporting process; assist with any revisions, appeals, or audits relative to the cost report and consultation throughout the year with the Agency; 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 with Venesky & Company to provide professional accounting and consulting services to assist with the annual Cost Report for the Diagnostic & Treatment Center Program.

Section 2. That this is for the term beginning January 1, 2022 through December 31, 2022 at a cost of \$8,500.00 per year, with automatic one year renewals, unless terminated by either party upon ninety (90) days prior written notice. There is no local share cost.

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

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 285 - 2021
RESOLUTION AUTHORIZING GIS WEB-BASED HOSTING RENEWAL
AGREEMENT BETWEEN THE COUNTY OF LEWIS
AND DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY**

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

WHEREAS, in 2015, the Lewis County Board of Legislators adopted Resolution No. 501-2015 which authorized participation in the 2016-2017 Local Government Records Management Improvement Fund grant application, led by the Village of Lowville, to integrate Lewis County's existing GIS data into the Authority's regional Internet Mapping Application (IMA) for GIS hosting services. Pursuant to Resolution No. 223-2017, the County approved the agreement for GIS hosting services for a period of five (5) years, ending on December 31, 2021; and

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WHEREAS, the County of Lewis wishes to renew the agreement for a Web-Based Hosting Agreement with DANC to continue GIS hosting and maintenance services and access to the Internet Mapping Application (“IMA”); and

WHEREAS, the Board of Legislators wishes to authorize this renewal agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the renewal web-based hosting agreement with the Development Authority of the North Country (“DANC”) to formally outline the continued scope of GIS hosting and maintenance services with access to DANC’s IMA.

Section 2. That this renewal agreement shall commence January 1, 2022 and continue through December 31, 2026, at the following annual cost, but with either party’s right to terminate the Agreement upon ninety (90) days written notice, with the County to pay DANC base annual services as outlined below, and any additional services payable according to the labor hour burdened rates set forth in the agreement:

YEAR	PERIOD	HOSTING FEE
1	1/1/22 – 12/31/22	\$1,600
2	1/1/23 – 12/31/23	\$1,600
3	1/1/24 – 12/31/24	\$1,600
4	1/1/25 – 12/31/25	\$1,700
5	1/1/26 – 12/31/26	\$1,700

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, and any 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 Kulzer , and adopted on the 2nd day of November, 2021.

RESOLUTION NO. 286 - 2021

RESOLUTION AUTHORIZING EXEMPTION FROM TAXATION FOR CERTAIN REAL PROPERTY OWNED BY THE TOWNS AND VILLAGES IN LEWIS COUNTY AND USED FOR PRODUCTION AND TRANSMISSION OF PUBLIC WATER AND SEWER SYSTEMS BENEFITTING LEWIS COUNTY RESIDENTS AND BUSINESSES

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

WHEREAS, Real Property Tax Law § 406(3) provides that municipal property located outside such municipality’s boundaries which is used as a public sewage disposal or water plant or system, may be deemed partially or wholly exempt from taxation by any municipal

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corporation where the property is located, provided that the governing board thereof shall so agree in writing; and

WHEREAS, the Board of Legislators adopted Resolution No. 74 – 1997 on April 1, 1997, whereby the then Board of Legislators authorized a written agreement declaring Tax Parcel No. 182.00-03-01.12 owned by the Village of Lowville and located in the Town of Watson, to be wholly exempt from County taxation for so long as the property is used for a public purpose satisfying the requirements of Real Property Law § 406. Thereafter, an agreement was entered into with the Village of Lowville to declare this parcel exempt from County taxation pursuant to RPTL § 406; and

WHEREAS, on February 16, 2011, the Board of Legislators adopted Resolution No. 47 – 2011, applicable to the tax roll established as of March 1, 2011, whereby the Board established a uniform tax exemption policy and procedure to authorize a 100% exemption from County real property taxes for a town or village facility used for the production and transmission of public water or for the treatment and disposal of sewage, where such facilities were located outside the town's or village's boundaries, upon the written request of the applicant-town or village; and

WHEREAS, the Taxation Committee of the Board of Legislators thereafter conducted an extensive review of the tax exemptions granted under this policy and determined that it was in the public interest of Lewis County taxpayers that such exemption be phased out entirely over a period of four years (2012-2015), and recommended to the Board of Legislators that the exemption policy be modified accordingly; and

WHEREAS, on August 2, 2011, the Board of Legislators adopted Resolution No. 268 – 2011 whereby the Board authorized a reduction in the foregoing tax exemption by 25% per year commencing with the tax roll established as of March 1, 2012 and ending with tax roll March 1, 2015 and thereafter when no exemption would be granted for municipal facilities used for the production and transmission of public water or for the treatment and disposal of sewage, where such facilities are located outside such municipality's boundaries; and

WHEREAS, on March 6, 2012, a Resolution was introduced to have Tax Parcel 182-03-01.12 owned by the Village of Lowville located in the Town of Watson, be wholly exempt from County taxation and be an exception to the phase out of exemption for municipal facilities as was set forth in Resolution No. 268-2011. Said Resolution was defeated; and

WHEREAS, the current County Board of Legislators seeks to revisit this policy in conjunction with its efforts and support for economic development in Lewis County. The Board recognizes the importance of infrastructure systems such as water, sewer and energy that are capable of upgrades, expansion and efficient maintenance and operation, to attract potential businesses to the County; and

WHEREAS, the County has witnessed from various studies, including the Southern Lewis County Water Study and the recently formed Central Lewis County Water Study, that these basic resources must be able to expand and be properly maintained in order to attract viable businesses to our County; with the County tax on local municipal facilities which benefit county

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residents and businesses, not to be a disincentive to the County's towns and villages to expand, to properly maintain their systems, and to work cooperatively in support of the County's Economic Development efforts; and

WHEREAS, the Lewis County Board of Legislators seeks to treat its towns and villages equally and fairly with respect to county real property tax exemptions for their respective facilities used for the production and transmission of public water and/or for the treatment and disposal of sewage, where such facilities are located outside the town/village boundaries and remain public systems which serve the residents and businesses in Lewis County, and which can expand to support growth and aid in economic development in the County; and

WHEREAS, by Resolutions over the past few years, the Board of Legislators has approved yearly one-time distribution payments to certain named Villages in the County who have water district infrastructure/systems, to assist with expenses associated with each Village's water infrastructure system costs for maintenance and upgrades so that overall economic development could improve in the County where water infrastructures are currently maintained; and

WHEREAS, the Lewis County Board of Legislators finds that it is in the public interest for the Board to re-examine its position and policy with respect to granting a tax exemption to such towns and villages in Lewis County who own real property outside its boundaries, and for which such property is used for the production and transmission of public water and/or sewer treatment and disposal which directly benefits the residents and businesses in the County of Lewis, to which this exemption would solely apply. The County acknowledges that this policy and decision equates to an annual County tax loss of over \$75,000.00.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. All prior Resolutions pertaining to the grant or termination of the county real property tax exemption to Lewis County Villages for their facilities owned outside their boundaries and used for the production and transmission of public water and/or sewer treatment and disposal which solely benefit Lewis County residents and businesses, are hereby rescinded.

Section 2. The Board of Legislators hereby establishes the following tax exemption policy with respect to Lewis County towns and villages which own real property located outside the municipality's boundaries which support its water or sewer facilities, and with such exemption to only apply with respect to County taxes on same:

1. The exemption from County taxation shall apply in whole or in part, at the discretion of the County, to the real property owned by a Lewis County Town or Village and located outside that municipality's boundaries for which an exemption is eligible pursuant to RPTL §406 (3).
2. The municipality seeking the exemption must be a Lewis County town or village, and the property must be classified and used in whole or in part by the municipality for the production, storage and/or transmission of public water or the treatment and/or disposal

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of public sewage which specifically services the residents and businesses in Lewis County. The municipality must properly and regularly service and maintain its system(s).

3. The exemption shall remain in effect for all future years, so long as there is no change in the use and maintenance of the subject properties as described in sub-paragraph 2 above, and provided that the municipality continues to properly and regularly service, maintain and upgrade its system(s); and further subject to the County's continuing right to review and take further and/or different action on these properties and the exemption at any time.

4. The County of Lewis, acting by and through the Finance and Rules Committee of the Board of Legislators, shall periodically review the exemptions granted pursuant to this uniform tax exemption policy in order to assure that the policy is being applied appropriately by the local assessing unit. The County expressly reserves its right to challenge and, if necessary, to take corrective action with regard to any exemption granted heretofore or hereafter to a Lewis County local municipality property should the Finance and Rules Committee determine that the exemption was unlawful or in contravention of the foregoing policy.

Section 3. The County of Lewis hereby grants an exemption from County taxes for Lewis County local municipal properties that meet the eligibility requirements set forth above as of March 1, 2022 and each tax year thereafter, unless amended, modified or rescinded by formal action of the Lewis County Board of Legislators.

Section 4. The Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such documents, instruments or writings as may be necessary to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 5. The Real Property Director shall cause a copy of this Resolution to be sent to the affected taxing units as soon as practical.

Section 6. The policy set forth in this Resolution shall be deemed to constitute the "agreement" of this governing board to authorize such exemptions to each Lewis County Town and Village who meet the criteria as provided in Real Property Tax Law § 406(3). This Resolution shall remain in full force and effect unless or until it is amended or rescinded by formal action of the Board of Legislators.

Section 7. This Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

RESOLUTION NO. 287 - 2021

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**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
AND NYS DIVISION OF HOMELAND AND EMERGENCY SERVICES
FOR 2020 SICG RADIO GRANT AWARD**

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

WHEREAS, the New York State Division of Homeland Security and Emergency Services awarded the County of Lewis the sum of \$684,510.00 under the 2020 Statewide Interoperable Communications Grant Program (“SICG”). The program allows for support to aid county, local and municipal public safety organizations in enhancing emergency response, improving capability, improvements in governance structures, operating procedures, infrastructure development, and addressing SAFECOM guidance from the U.S. Department of Homeland Security Office of Emergency Communications; and

WHEREAS, the performance period for the 2020 SICG award is for 24 months, beginning January 1, 2021 through December 31, 2022, with the possibility of an extension based upon good cause shown and ample justification for needing additional time; and

WHEREAS, the Board of Legislators wishes to authorize said funding and approve the agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators approves an Agreement between the County of Lewis and the New York State Division of Homeland Security and Emergency Services to accept grant award funds of \$684,510.00 under the 2020 Statewide Interoperable Communications Grant Program (“SICG”) for enhancing and improving interoperability and operability communications systems.

Section 2. That the performance period for eligible expenses covers January 1, 2021 to December 31, 2022.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement, and any amendments, addenda or appendices required under said funding, pending review and approval by the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 288 - 2021
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND VARIOUS FOSTER CARE AGENCIES**

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Introduced by Legislator Andrea Moroughan, Chair of the Health & 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

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 Lewis County 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, 2022 through December 31, 2023 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 Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 289 - 2021
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND**

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VARIOUS PROVIDERS FOR PROGRAM SERVICES

Introduced by Legislator Andrea Moroughan, 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;

CONTRACTOR	PURPOSE	AMOUNT
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%
Lewis County Health System	Purchase of Rehabilitation Services	<ul style="list-style-type: none">• \$150 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%
Transitional Living Services of Northern NY	Gateway Project-Case Management Program (Housing)	Not to Exceed \$23,000 (\$1,916.67 per month)
Victim's Assistance Center of Jefferson County, Inc.	Purchase of Shelter Services	<ul style="list-style-type: none">• \$118.84 per person/ per night

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County 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, 2022 through December 31, 2022, with the exception of Volunteer Transportation Center, Inc. and Lewis County Health System, which shall be for two (2) year terms commencing on January 1, 2022 through December 31, 2023.

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Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said 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 Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

RESOLUTION NO. 290 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SOCIAL SERVICES AND
VENESKY & COMPANY

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services seeks to enter into an agreement with Venesky & Company (“Venesky”) to submit a contract document for the development of a structural component depreciation model for the Stowe Street Building Renovation. The accelerated depreciation method developed within the building study will be in compliance with all rules and regulations promulgated by the Federal and State regulatory bodies; and

WHEREAS, the Board of Legislators wishes to enter into such agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Social Services Department, and Venesky & Company for the purpose of the development of a structural component depreciation model for the Stowe Street Building Renovation.

Section 2. That this cost analysis project is projected to span calendar years 2021 to 2023, at a total cost of \$12,000.00, payable in \$6,000.00 increments in 2022 and 2023.

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

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 2nd day of November, 2021.

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**RESOLUTION NO. 291 - 2021
RESOLUTION RESCINDING RESOLUTION NO. 255-2021 AND AUTHORIZING
ACCEPTANCE OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)
ALLOCATION FOR NON-RESIDENTIAL DV SERVICES AND AGREEMENT
BETWEEN LCDSS AND LEWIS COUNTY OPPORTUNITIES, INC. AS SERVICE
PROVIDER UNDER THE PLAN**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Commissioner of Social Services received notification that the Department of Social Services (LCDSS) has been awarded \$25,000.00 in allocation funds from the NYS OCFS for non-residential domestic violence (DV) services under the TANF program, for SFY 2021-2022; and

WHEREAS, these TANF funds must be used to provide enhanced or expanded core and/or optional non-residential DV services and programs recognized by OCFS, and can only be used for services provided to families with children and whose income is at or below 200% of the poverty level; and

WHEREAS, in order to access these allocated funds, the Commissioner must execute an attestation and service plan with OCFS, including the name(s) of any service provider(s) the Department engages to provide identified services under the plan; and

WHEREAS, pursuant to Resolution No. 255-2021 adopted at the October 5, 2021 the Lewis County Board of Legislators authorized an agreement between the Lewis County Department of Social Services and Lewis County Opportunities for the purpose of providing non-residential domestic violence response and prevention services under the plan submitted by LCDSS to OCFS for the period of January 1, 2022 through December 31, 2022. The term of the funding and agreement should be from October 1, 2021 through June 30, 2022; and

WHEREAS, the Board of Legislators wishes to rescind Resolution No. 255-2021 and authorize an agreement with LCO for the term commencing October 1, 2021 through June 30, 2022; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby rescinds Resolution No. 255-2021, and authorizes the Lewis County Commissioner of Social Services to execute the agreement/attestation form and service plan required by OCFS in order to receive the \$25,000.00 TANF allocation funds for Non-Residential DV services for SFY 2021-2022, for the period commencing October 1, 2021 through June 30, 2022.

Section 2. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Department of Social Services and Lewis County Opportunities, Inc.,

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for the purpose of providing non-residential domestic violence response and prevention services under the plan submitted by LCDSS to OCFS.

Section 3. That the term of said agreement shall be from October 1, 2021 through June 30, 2022, for an amount not to exceed \$25,000.00 in allocation funds.

Section 4. That the following appropriation is hereby approved for SFY21-22 TANF Non-Residential DV Services program:

Increase Revenue:

A0610900 346090 Fed Aid	\$ 25,000.00
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Increase Expenditure:

A0610900 460900 Non-Res DV	\$ 25,000.00
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Section 5. That the Chairman or Vice-Chairman of the Board of Legislators and Lewis County Commissioner of Social Services are hereby authorized to make, execute, seal and deliver such Agreement, and any amendments thereto, upon review and approval by the County Attorney.

Section 6. That this Resolution shall take effect immediately.

Moved by Legislator Chartrand , seconded by Legislator Kulzer , and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 292 - 2021
RESOLUTION SUPPORTING OPERATION GREEN LIGHT IN RECOGNITION OF
ACTIVE MILITARY SERVICE MEMBERS AND THOSE IN TRANSITION TO
CIVILIAN LIFE**

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

WHEREAS, the residents of Lewis County have great respect, admiration, and the utmost gratitude for all who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, church groups, and other community agencies; and

WHEREAS, approximately 200,000 service members transition to civilian communities annually. Studies indicate that 44% to 75% of service members experience high levels of stress during transition from military to civilian life; and

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WHEREAS, the Lewis County Board of Legislators appreciates the sacrifices our United States Military Personnel made while defending freedom, and believes specific recognition be accorded them to demonstrate the honor and support they deserve and have earned; and

WHEREAS, in advance of the upcoming Veterans Day holiday, and as part of a state-wide NYS Association of Counties and NYS County Veteran Service Officers' Association collaborative initiative known as "Operation Green Light", the Lewis County Board of Legislators encourages its citizens to focus attention on America's service men and women by displaying a green light for Veterans;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That in observance of Operation Green Light, the Lewis County Board of Legislators encourages its citizens in patriotic tradition to recognize the importance of honoring all those whose immeasurable sacrifices help to preserve freedom, and to let veterans know that they are seen, appreciated, and supported by displaying an interior or exterior green light in their business or residence the week around Veterans Day, i.e., November 7th through November 13th.

Section 2. That with designation as a Green Light for Military Service County, the Lewis County Board of Legislators hereby declares the week of November 7, 2021 through November 13, 2021 as a time to salute and honor the service and sacrifice of our men and women in uniform, and those transitioning from Active Service.

Section 3. That the Lewis County Board of Legislators directs that an exterior green light be displayed at the Lewis County Courthouse Building and any other County buildings capable of such lighting for the period of November 7, 2021 through November 13, 2021.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Lisa, seconded by Legislator King, and adopted on the 2nd day of November, 2021.

**RESOLUTION NO. 293 - 2021
RESOLUTION AUTHORIZING AND RATIFYING
TENTATIVE AGREEMENT AND FINAL CONTRACT
BETWEEN THE COUNTY OF LEWIS AND
LOCAL 825 OF THE CIVIL SERVICE
EMPLOYEES ASSOCIATION, INC. (GENERAL EMPLOYEES UNIT)**

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

WHEREAS, the existing contract between the County of Lewis and Local 825 of the Civil Service Employee's Association ("CSEA") for the County's general employees expired on December 31, 2020; and

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WHEREAS, the negotiating teams representing the County of Lewis and the CSEA, reached a Tentative Agreement dated October 19, 2021, encompassing a summary of the changes agreed to for a three-year final Agreement to be effective January 1, 2021 through December 31, 2023; said Tentative Agreement ratified by the Local CSEA membership on November 2, 2021.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby ratifies the agreement developed by the negotiating teams, accepted by the CSEA Local 825 for the County's general employees on November 2, 2021, and memorialized as the Tentative Agreement dated October 19, 2021.

Section 2. That the Chairman, or the Vice-Chairman of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver the final contract between the County of Lewis and the Civil Service Employee's Association (General Employees Unit) based upon the terms of the Tentative Agreement, for the period January 1, 2021 through December 31, 2023, upon such form as may be approved by the County Attorney.

Section 3. That a copy of the final executed agreement shall be filed in the Office of the Clerk of the Board of Legislators; and that the County shall produce copies of such contract for distribution to employees of the CSEA Local 825 (General Employees Unit).

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moroughan, and adopted on the 2nd day of November, 2021. Legislator Kulzer abstained.

OTHER BUSINESS:

Chairman Dolhof reported last week he learned that County Manager, Ryan Piche, recently received the Credentialed Manager designation from the International County Management Association. Ryan is a member of this professional association, which apparently is worldwide, with over 13,000 members whose mission is to advance professional local government.

The prestigious credential designation is awarded to members who demonstrate significant experience as a senior management executive in local government, with a commitment to high integrity and professional development. Ryan is one of only six active credentialed managers in New York State. Chairman Dolhof congratulated Ryan on behalf of the whole board on this distinguished achievement and recognition so early in his career and personally thank him for the exceptional leadership, management, innovation and enthusiasm he brings to Lewis County as the County Manager.

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OTHER BUSINESS (Continued):

Legislator Hathway recalled the original report that County Treasurer, Eric Virkler did on the Solar Production and gave credit to Chairman Dolhof for questioning the numbers which led to County Attorney Joan McNichol and County Treasurer, Eric Virkler looking into it further and realizing that the figures weren't correct. In speaking with Larsen Engineering, it was determined that the credits we received from National Grid are \$105,950.00 short and the credits owed to the county for low production from Green Skies is \$26,779.00. The total credits owed is almost the same amount that we have received for 2018, 2019 and 2020 combined. Moving forward Eric Virkler and Joan McNichol will work to make sure that we are getting the correct credits. He thanked Eric & Chairman Dolhof for both reporting and questioning the figures.

National Grid & Green Skies both agreed to the amounts without contention and the credits are already available. Legislator Chartrand along with several other fellow legislators thanked Legislator Hathway for his part in going through the figures and creating the spreadsheets used to show the shortage in credits. Chairman Dolhof personally thanked Legislator Hathway for driving the discussion and following up on this to make sure the county received all the credits.

Legislator Hathway gave recognition to all the individuals who assisted with the clean up of the Lyons Falls Pulp and Paper Mill. It took a team effort with lots of hard work to accomplish that task and it is greatly appreciated. Chairman Dolhof agreed with Legislator Hathway and felt very fortunate that the clean up was able to be completed even though it took ten or eleven years.

Legislator Chartrand made a motion at 5:36 p.m. to enter executive session regarding some potential property purchases and reasons why, after a short 3-minute recess, seconded by Legislator Osborne and carried.

Legislator Virkler made a motion at 6:20 p.m. to enter regular session, seconded by Legislator Hathway and carried.

There being no other business to come before the board Legislator Chartrand made a motion to adjourn at 6:20 p.m., seconded by Legislator Osborne and carried.

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**SECOND DAY
ANNUAL SESSION
November 18, 2021**

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

Roll Call: 9 Legislators were present, Legislator Kulzer had been excused. There were 11 other persons in attendance.

Legislator Hathway gave the invocation. Chairman Dolhof lead the Pledge of Allegiance to the Flag.

PUBLIC COMMENT/PRIVILEGE OF THE FLOOR:

Megan Harney, Director of Lowville Free Library, who was representing other local libraries in Lewis County as well as the North Country Library System thanked the Board for the funding in the 2022 Lewis County Budget. She went on to thank Legislator Hathway, serving district 1 which covers the Harrisville Free Library; Legislator Virkler, serving district 2 which covers Beaver Falls Library and Croghan Free Library; Legislator Burns, serving district 3; Legislator Gilbert serving district 4; Legislator Chartrand, serving district 5 which covers Lowville Free Library; Legislator Moroughan, serving district 6; Legislator Kulzer, serving district 7 which covers William H. Bush Memorial Library in Martinsburg and B. Elizabeth Strong Memorial Library in Turin; Legislator Dolhof, serving district 8 which covers Constableville Library, Lyons Falls Library, and Osceola Public Library; Legislator Osborne, serving district 9 which covers Brantingham Greig Reading Center; and Legislator King, serving district 10 which covers Port Leyden Community Library and Town of Lewis Library.

Megan concluded by stating that the funding will help with technology costs associated with interlibrary loans, providing internet access, public access to computers and other devices, maintaining a digital collection which is available 24/7, and offering printing, copying and scanning services. Many Legislators thanked Megan for everything that the libraries do for the communities in Lewis County.

Chairman Dolhof declared the November 2, 2021 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
Philip Hathway

Dated: November 18, 2021

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

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Two resolutions were received, one from Chemung County in Opposition to “End Predatory Court Fees Act” and the other from Seneca County Opposing Governor Hochul’s Closure Plan on Public Safety, Economic and Environmental Grounds. A thank you card was received from the Town of Diana Museum thanking the Board of Legislators for the Proclamation Commemorating Museums.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Brian Mooney submitted the September and October 2021 Sealer of Weights & Measures activity reports which have been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator King stated that information on current park rates in Lewis County was distributed by Recreation Forestry & Parks Director, Jackie Mahoney and asked legislators to review so discussion could be had at the next General Services Committee meeting on how to proceed with Singing Waters Park.

Legislator Chartrand reported that the hospital Chief Operations Officer position was offered to a candidate who then declined. The company that the hospital contracted with will put together another list of potential candidates. The current Chief Operations Officer, Michelle Prince was planning to leave between the 1st and 15th of December.

COUNTY MANAGER REPORT:

County Manager, Ryan Piche shared photos of the clean-up process of the Turin Brick Block Building which burned in March 2021 and should be cleaned up by the end of November. The lot size is relatively large and will hopefully be able to be developed in the future.

Ryan explained that due to the new terms and new legislators starting in January 2022, he would rather not have any old business roll into the new year if possible. He suggested that if legislators agree they could forgo the committee meetings in December and the final meeting of the year, December 23rd would be to just close out any remaining business for 2021. There was further discussion. Ryan reminded legislators that the new legislators coming on board will be invited to the December 23rd meeting as well as coming into the office sometime in December to meet with staff. Chairman Dolhof reported that there will be a meeting in December on the potential SNIRT Run for 2022.

Legislator Osborne made a motion to suspend the December 2021 Legislative Committee meetings, seconded by Legislator Burns and carried.

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COUNTY TREASURER REPORT:

County Treasurer, Eric Virkler reported that due to New York State holding things up the property tax auction will happen next year in either July or August. There are only 14 properties left as many have paid their delinquent taxes.

OTHER BUSINESS:

Legislator King discussed how Singing Waters will be a campsite with a bath house, so there could be a daily charge with rules and regulations for use of the campsites. Someone will need to be up there every few days to collect garbage and check on things. Legislator Hathway asked for clarification that this would be a charge similar to the price of other campgrounds in Lewis County to help cover the expenses, Legislator King responded by explaining that this would help offset the additional cost but likely not cover them completely and also felt that if there was no charge it might hurt other campgrounds who do charge a fee.

Legislator Moroughan voiced her opinion that if someone has to pay a fee the property might be kept in better condition. She also wondered if the county was planning to hire someone to oversee the property. Recreation, Forestry & Parks Director, Jackie Mahoney explained that she is going to have two new positions in 2022, who will be seasonal and have some time to handle some of the responsibilities. Chairman Dolhof suggested that the county could look into an online software to allow people to register for a campsite and pay online. County Manager, Ryan Piche spoke up that it would likely be a combination of an online and lock box to collect the fee. Legislator King voiced his opinion that he envisioned someone having to get a permit, paying for it and having a proof of reservation.

Legislator Virkler questioned if this is something that could be contracted out to a third party to manage, Ryan responded that he thought that could be a good idea. There is no power, no vehicles allowed, just tenting and a bath house. Chairman Dolhof felt that if a policy is created it should cover all county property, not just Singing Waters. The board came to the consensus that a fee should be charged and that could be used to create the basis for a policy on all county owned property.

Legislator Chartrand voiced his opinion that someone should check into the campground in Soft Maple as they have a part time person up there. He also felt that the hot water would be a cost to the county. Chairman Dolhof agreed that there should be a charge for the hot water. Someone pointed out that Whetstone Gulf doesn't charge for seniors. Legislator King stated again that the county shouldn't be in competition with other privately owned campgrounds. Ryan concluded the discussion by recommending that Jackie Mahoney work on a policy and bring it forward in 2022.

Chairman Dolhof declared the budget hearing closed at 5:34 p.m. with no one coming forward to speak.

RESOLUTIONS:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 294 - 2021
RESOLUTION TO AMEND THE 2022 TENTATIVE COUNTY BUDGET
REGARDING THE SAFE HARBOR PROGRAM**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following changes are approved to modify the 2022 Tentative budget related to the Safe Harbor accounts:

Decrease Revenue

A0731100 338203 Youth Bureau Safe Harbor Revenue	\$25,000.00
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Decrease Expense

A0731100 453000 Youth Bureau Safe Harbor Expense	\$25,000.00
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Increase Revenue

A0615000 338203 DSS Safe Harbor Revenue	\$43,350.00
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Increase Expense

A0615000 453000 DSS Safe Harbor Expense	\$43,350.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moroughan.

County Manager, Ryan Piche explained that this change was a last-minute issue due to a change by New York State. In previous years the funds were allowed to be put through the Youth Bureau, however this year it is required to go through Social Services instead. This resolution is just moving the funding to the correct budget lines.

The resolution was then adopted on the 18th day of November, 2021 by the following roll call vote:

AYES: Chartrand, Gilbert, Moroughan, Burns, Virkler, Osborne, Hathway, King, and Dolhof.

NAYS: None.

ABSENT: Kulzer.

**RESOLUTION NO. 295 - 2021
RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR
COMMENCING JANUARY 1, 2022 MAKING APPROPRIATIONS**

NOVEMBER 18, 2021

**FOR THE CONDUCT OF COUNTY GOVERNMENT AND
ESTABLISHING RATES OF COMPENSATION FOR OFFICERS
AND EMPLOYEES FOR FISCAL YEAR 2022**

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

WHEREAS, the governing body has met and considered the 2022 Tentative County Budget and has conducted a public hearing thereon as required by Section 359 of the County Law.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Tentative Budget as amended and revised and as hereinafter set forth is hereby adopted and that the several amounts as set forth in the "Adopted" column of such budget be and hereby are appropriated for the objects and purposes specified, and the salaries and wages set forth in Schedule 5 of that budget shall be and hereby are fixed at the amount shown therein, or by employees' contract effective January 1, 2022.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 18th day of November, 2021 by the following roll call vote:

AYES: Gilbert, Moroughan, Virkler, Osborne, Hathway, King, Burns, Chartrand, and Dolhof.

NAYS: None.

ABSENT: Kulzer.

**RESOLUTION NO. 296 - 2021
ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR
UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF
LEGISLATORS ON THE 18th DAY OF NOVEMBER 2021
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. 295 - 2021 adopted on the 18th day of November 2021, has adopted a County Budget for fiscal year 2022; and

WHEREAS, the said Board of Legislators by Resolution No. 295 - 2021 adopted on the 18th day of November 2021, has made appropriations for the conduct of Lewis County Government for fiscal year 2022.

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 \$ 17,810,000.00.

Moved by Legislator Moroughan, seconded by Legislator Virkler, and adopted on the 18th day of November, 2021 by the following roll call vote:

AYES: King, Chartrand, Burns, Hathway, Virklr, Gilbert, Moroughan, Osborne, and Dolhof.

NAYS: None.

ABSENT: Kulzer.

**RESOLUTION NO. 297 - 2021
RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND KT CONSTRUCTION & CONSULTING CO., INC.
FOR PROFESSIONAL SERVICES AS RESIDENT PROJECT REPRESENTATIVE/
CONSTRUCTION MANAGER**

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

WHEREAS, the County of Lewis recently sent out Request for Proposals for a Resident Project Representative/Construction Management Services for the County's Building/Capital Improvement Projects which include three (3) different county campuses and construction activities over the course of an estimated twenty-four (24) month period, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the County Manager, Clerk of the Board, County Attorney, Chairman of the Board and other Legislators were present on November 10, 2021, at 11:00 a.m. to open four (4) bids received in response to the RFP; and

WHEREAS, the review committee's review included consideration of all submissions as professional services, with decision based on accountability, reliability, responsibility, skill and training, the prior experience of the County with the entity, price and best value for the County analysis, including small business entity; and

WHEREAS, after careful review and consideration of the proposals, in accordance with the specifications and scope of work set forth in the RFP, the review team recommends awarding the bid to KT Construction & Consulting Co., Inc. (KT) at a cost not to exceed \$511,320.00 for a 24 month period of professional services outlined in the RFP and bid proposal, commencing December 1, 2021; and

WHEREAS, the Board of Legislators seeks to award the bid to KT and authorizes an agreement for the specified services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

NOVEMBER 18, 2021

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with KT Construction & Consulting Co, Inc., of Lowville, New York 13367 to provide professional contract management services to the County in its planned Capital Improvements Project, 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 not to exceed \$511,320.00 for a period of twenty-four (24) months commencing December 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 review and 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 on the 18th day of November, 2021. Legislators Hathway & Virkler were opposed.

OTHER BUSINESS (Continued):

There being no other business to come before the board Legislator Chartrand made a motion to adjourn at 5:37 p.m., seconded by Legislator Virkler and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**THIRD DAY
ANNUAL SESSION
December 7, 2021**

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

Roll Call: 9 Legislators were present, Legislators Kulzer had been excused. There were 14 other persons in attendance.

Legislator Gilbert gave the invocation. Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the November 18, 2021 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
Philip Hathway

Dated: December 7, 2021

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

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the November Highway & Solid Waste Audit Reports, as well as the Treasurer's Report. Brian Mooney submitted the November 2021 Sealer of Weights & 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 County Attorney Joan McNichol to refill one (1) full-time Secretary to the Assistant County Attorney position effective immediately due to resignation, seconded by Legislator Chartrand and carried.

Legislator Osborne made a motion to authorize Information Technology Director Conner Biolsi to send out an RFP for network switches and wireless access points, seconded by Legislator Moroughan and carried.

Legislator Osborne made a motion to authorize Information Technology Director Conner Biolsi to refill one (1) full-time Computer Systems Assistant position effective immediately due to resignation, seconded by Legislator Hathway and carried.

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Legislator Osborne made a motion to move forward on the logo designed by Rachel Grunert for re-branding Lewis County Government, seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize Recreation, Forestry & Parks Director, Jackie Mahoney to refill one (1) full-time Crew Leader position effective immediately due to resignation, seconded by Legislator Burns and carried.

Legislator Moroughan made a motion to authorize Social Services Commissioner, Jennifer Jones to refill one (1) full-time Senior Account Clerk position effective immediately due to internal transfer, seconded by Legislator Osborne and carried.

Legislator Moroughan made a motion to authorize Social Services Commissioner, Jennifer Jones to refill one (1) full-time Program Examiner position effective immediately due to resignation, seconded by Legislator Chartrand and carried.

Legislator Moroughan reported that there are currently 145 active Covid-19 cases; there were 256 active cases at the counties peak in January 2021; there were 180 active cases on November 22, 2021; there was a spike last week with 195 active cases, which is a weekly number that we saw in January 2021; numbers are looking better this week with only 46 cases for Monday and Tuesday; there were 51 cases last week just on Monday; there are 6 residents hospitalized; there were 25 residents hospitalized at the peak last January; there were 20 hospitalizations on November 18th; 73% of cases in November were unvaccinated residents; 77% of hospitalizations in November were unvaccinated residents; 68% of our adult population have at least one dose of the covid-19 vaccine; there has been a slight increase recently to the number of individuals who are seeking the first dose of the vaccine; there are 816 more adult residents to vaccinate in order to reach the 70% goal; 3,060 residents have received the booster dose; clinics around the county have continued to fill up for the booster dose; local pharmacies are also providing first, second, booster, and pediatric doses; there have been 121 children ages 5 to 11 who have been vaccinated in the school clinics; there will be a community wide pediatric clinic on Friday, December 17th at the Lowville Fire Hall.

Legislator Chartrand reported that the Lewis County Health System did not make the Governors closure list for elective surgeries, although many North County hospitals did.

REPORTS OF SPECIAL COMMITTEES:

Planning Director Casandra Buell provided a presentation on the activities of the Ad Hoc Committee for Broadband Expansion. Lewis County was awarded \$263,053.00, with a \$65,763.00 local match, through the Northern Border Regional Commission (NRBC) grant for fixed wireless and hotspots in the Town of Denmark and Village of Copenhagen areas. The application was submitted on May 13th and will cover 1,173 passes. Lewis County was awarded \$747,790.00, with no local match through the Community Development Block Grant for fixed wireless and hotspots in the Lyonsdale, Port Leyden, and Diana areas. The application was submitted in July 2021 and will cover 752 passes.

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The Hayes Road 911 Tower will be used for the Denmark and Copenhagen areas to get the necessary coverage. The Lyonsdale 911 Tower will be used for the Lyonsdale and Port Leyden areas to get coverage. The Diana 911 Tower will be used to reach the areas marked in Diana. The National Telecommunications and Informational Administration (NTIA) Funding is \$288 million available for federal assistance under Broadband Infrastructure Program; requires a covered partnership – County and Provider of Fixed Broadband Service; priority is given to projects with at least a 10% match; projects must be completed within 1 year of receipt of grant funds; Lewis County submitted a grant application in the amount of \$1.8 million on September 15th for Croghan, Diana, Denmark, Lowville, Watson, and Constableville areas; Award notices are postponed until early 2022.

The other project that is being worked on are Wi-Fi Access Points for Village and Hamlets. The County would use ARPA funds to provide free Wi-Fi access to villages and hamlets across Lewis County. The wi-fi system would be managed through Spectrum with a 3-year contract, installation and equipment paid for by Lewis County. The access speeds and data would be limited to avoid residential use. This would help promote economic and community development. The total investment would be \$368,563.12.

The opportunities and barriers that come with broadband expansion are the USDA ReConnect Program which released their notice of funding availability on November 24th; many underserved locations have received RDOF funds but awardees have six years to implement which limits access to state and federal grant opportunities for these areas so these areas are being evaluated for local funding opportunities; using existing 911 towers for fixed wireless service; fixed wireless solutions are difficult in forested areas and repeater towers may be necessary.

The current investment from the County is \$434,326.00 with a grant funding total of \$1,010,843.00.

Cassandra Buell then gave a brief update on the Façade and Streetscape Program. Round 1 of this program had \$250,000.00 available; there were 34 applications received exceeding a total funding request of \$587,000.00; there were 17 grants awarded for a total amount of \$248,645.91; the awards consisted of 4 municipality streetscape projects and 13 existing & new businesses. The award recipients were: Robert Hazard – Prior Key Bank Building in Croghan for \$1,575.00; National Abstract in Lowville for \$83,250.00; Krista Brown Photography in Lyons Falls for \$606.00; Good Ol' Wishy's in Croghan for \$27,262.50; Tug Hill Artisan Roasters in Lowville for \$23,570.21; Constableville Auction Hall for \$10,368.75; Michael Goderdhan – Prior Covey HVAC for \$16,331.25; Mark Lemieux – Prior Port Leyden Elementary for \$24,375.00; Bonaparte Pharmacy in Harrisville for \$13,940.00; Chuck's Market in Harrisville for \$14,485.50; Village of Copenhagen for \$2,793.00; Town of Martinsburg for \$3,628.64; Thomas Gillette – USPS Office in Lyons Falls for \$1,414.50; Town of Diana Historical Museum for \$9,849.00; Village of Lyons Falls for \$7,350.00; Village of Port Leyden for \$5,163.56; and Keith Young Knives and Engraving for \$2,683.00.

Chairman Dolhof spoke about declaring a state of emergency due to covid and the pressure that is being put on hospitals. The North Country Region, consisting of Lewis, Jefferson, St. Lawrence, Franklin, Essex, Hamilton, and Clinton Counties, would all like to declare a state of

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emergency on Wednesday, December 8th as a group. Ryan reported that Franklin and Clinton County never left a state of emergency; St. Lawrence County approved it last night at their board meeting; Jefferson County will likely approve it tonight at their meeting; Essex and Hamilton will go along with what the majority feel is best. A state of emergency only does two things for the county, it makes us eligible for reimbursement funds and gives special powers to curb behavior. It will give solidarity to the North Country Region and might give residents a wake-up call to what is going on with the increase in covid cases.

Legislator Hathway questioned Mr. Cayer on how he felt. Mr. Cayer responded that he would be in full support of moving in that direction, citing that Lewis County has the highest positivity rate and continued staffing difficulties. Public Health Director, Ashley Waite agreed with declaring a state of emergency, citing higher numbers this year than last year. There was continued discussion. Legislator Virkler explained that her family was exposed, and both of her children have covid. She is fully vaccinated with a booster and felt like that helped delay the infection and minimize symptoms. She stated that it is vitally important to keep the hospital doors open, which means the beds can't be filled up with covid patients. It is important to continue to reinforce the recommendations by the CDC and NYS. In response to Legislator Chartrand, Ashley Waite reported that there are some re-infections but not many. Ryan stated that people should be reminded that if you are sick you need to stay home.

Legislator King made a motion to declare a state of emergency for Lewis County as of 12:01 a.m. on Wednesday, December 8, 2021, seconded by Legislator Osborne and carried.

COUNTY MANAGER REPORT:

County Manager, Ryan Piche reported that yesterday Social Services had a heating issue brought on by a power outage which required some employees to work from home while others used layers of clothing and space heaters to continue to work from the building. Buildings & Grounds went all the way to Rochester to pick up the part necessary to fix the problem. Ryan commended the Social Services employees for their dedication and resiliency. He then reminded legislators why the upcoming building renovation is important.

The Ag Sustainability Council received two bids which they are reviewing and will have a recommendation to the board at the December 23rd meeting. The Council will have a vacancy so anyone on the board interesting in serving in that capacity should let the chairman know. The Fort Drum Holiday Social is on Sunday and Legislator Chartrand and himself are planning on attending. Legislator Chartrand strongly encourage other legislators to go. The orientation for new legislators will be on December 22nd. There is a retreat planning for late January for all Department Heads to go to Camp Oswegatchie for some team building and facilitated discussions, all legislators are welcome to join.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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**RESOLUTION NO. 298 - 2021
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 \$ 1,594,302.80 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator King, seconded by Legislator Gilbert, and adopted on the 7th day of December, 2021 by the following roll call vote:

AYES: Hathway, Burns, Chartrand, Osborne, Virkler, Gilbert, Moroughan, King, and Dolhof.

NAYS: None.

ABSENT: Kulzer.

**LOCAL LAW (INTRODUCTORY NO. 6 -2021)
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, 2022, the Compensation Plan of the County of Lewis shall be amended to provide the following salaries for the following County elected or appointed employees to a fixed term of office during his/her term, to-wit:

ELECTED/POLITICAL APPOINTED OFFICIALS:

Commissioners (2), Board of Elections	\$ 49,358.00 \$ 49,358.00
County Clerk	\$ 65,698.00
County Sheriff	\$ 80,751.00
County Treasurer	\$ 82,997.00

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APPOINTED OFFICIALS TO FIXED TERMS:

Commissioner, Department of Social Services	\$ 92,222.00
Director of Human Resources/Personnel Officer	\$ 89,923.00
Director of Real Property Tax Service	\$ 62,050.00
Superintendent of Highways	\$ 85,325.00

SECTION 2.

Annual adjustment(s) to the salaries of exempt employees in the category of elected or appointed officials to fixed terms of office may be made during the elected's/appointed's remaining fixed term pursuant to the management compensation plan schedule adopted by the Board of Legislators.

SECTION 3.

This Local Law is subject to a permissive referendum and shall take effect forty-five (45) days after the adoption hereof and all legal requirements having been met.

**RESOLUTION NO. 299 - 2021
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 6-2021), COUNTY OF LEWIS**

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

WHEREAS, a proposed Local Law entitled "A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS" was presented and introduced at a meeting of this Board of Legislators held on December 7, 2021;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 23, 2021, from 10:00 a.m. to 10:30 a.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

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

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Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

RESOLUTION NO. 300 - 2021
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY DEPARTMENTS OF HIGHWAY, SOLID WASTE, RECREATION,
FORESTRY AND PARKS, AND BUILDINGS AND GROUNDS WITH LEWIS COUNTY
GENERAL HOSPITAL OCCUPATIONAL MEDICINE

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

WHEREAS, the Lewis County Departments of Highway, Solid Waste, Recreation, Forestry and Parks, and Buildings and Grounds wish to enter into Agreements with Lewis County Health System Occupational Medicine for the purpose of random employee drug and alcohol testing for employees subject to same; 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 Agreements between the Lewis County Departments of Highway, Solid Waste, Recreation, Forestry and Parks, and Buildings and Grounds with Lewis County General Hospital Occupational Medicine for the purpose of random employee drug and alcohol testing for employees subject to same.

Section 2. That this is for the term of January 1, 2022 through December 31, 2022, for the Company/Consortium Pricing Package at a rate of \$110.00 per employee. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$110.00; Breath Alcohol Test – \$25.00; Breath Alcohol Confirmation Test – \$25.00; Onsite Testing – \$50.00 and after hours testing - \$200.00.

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 Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

RESOLUTION NO. 301 - 2021
RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND THE TOWN OF LOWVILLE FOR

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NYS UNIFORM BUILDING AND FIRE CODES ADMINISTRATION

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

WHEREAS, the Town of Lowville (“Town”) is currently responsible for the administration and enforcement of Uniform Fire Prevention and Building Codes within its boundaries. In accordance with Executive Law § 381, the Town’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; and

WHEREAS, the Town enacted Local Law No. 2-2021, “A Local Law Opting Out of the Enforcement and Administration of the New York State Uniform Building and Fire Code Pursuant to Section 381 of the New York State Executive Law” to designate the Lewis County Code Enforcement Office as the Local Administrator to administer and implement building and fire code enforcement; and

WHEREAS, pursuant to Article 5-G of the General Municipal Law and Town Law § 284 [4](d), the County and Town are authorized to enter into an intermunicipal agreement to carry out all or a portion of the ministerial functions related to administration and enforcement of land use regulations that pertain to the Uniform Fire Prevention and Building Codes;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Intermunicipal Agreement between the County of Lewis and the Town of Lowville for the Lewis County Codes Department to be designated as the Town’s “Local Administrator” under its local law, to administer and implement the regulations of the Town of Lowville’s Uniform Fire Prevention and Building Codes, including enforcement, effective January 1, 2022.

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 7th day of December, 2021.

**RESOLUTION NO. 302 - 2021
AUTHORIZE COMMUNITY SERVICES DIRECTOR TO SUBMIT
APPLICATION/FUNDING PROPOSAL TO
NYS OFFICE OF MENTAL HEALTH FOR SYSTEMS OF CARE GRANT**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

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WHEREAS, NYS OMH issued an RFP for one-time funding up to \$25,000.00 to County Mental Health Departments to implement or expand a Systems of Care approach in working with other local cross-system partners in the mental health fields. These grant resources are intended to support children, youth, and young adults with serious emotional disturbance (SED) issues, in alignment with the design and intent of the Coronavirus Response & Relief Supplement Appropriations Act; and

WHEREAS, the Lewis County Community Services Department is responsible for overseeing the NYS OMH Single Point of Access/Entry Program (SPOA/E), which implemented a System of Care wrap around philosophy in 2019; and

WHEREAS, the Director of Community Services, with the support of the LCCS Board, seeks to submit an application for this one-time funding in order to assist with enhancing methods of referrals and communication of available services, especially for children; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the Director to submit a proposal for an award of this one-time funding to NYS OMH;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the Director of Community Services to submit an application and funding proposal to the NYS OMH for its one-time Systems of Care Grant in the amount of \$25,000.00, to expand and enhance LCCS' methods of referral and communication of available services, especially in support of Lewis County children, youth, and young adults in need of mental health services.

Section 2. The Lewis County Board of Legislators authorizes the Director of Community Services to complete, execute, and submit the application and proposal for these Grant funds to NYS OMH.

Section 3. Upon notification of said grant award, the Lewis County Board of Legislators authorizes the Chairman or Vice Chairman to sign, seal and deliver the grant agreement, and any amendments thereto, as may be necessary to carry out the terms of this Resolution, 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 Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 303 - 2021
RESOLUTION AUTHORIZING ONE-YEAR RENEWAL
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND
ICU SECURITY & PRIVATE INVESTIGATIONS FOR**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**UNARMED SECURITY GUARD SERVICES AT THE
DEPARTMENT OF MOTOR VEHICLES BUILDING**

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

WHEREAS, the County of Lewis, on behalf of the Lewis County Department of Motor Vehicles (“DMV”) entered into an agreement dated May 6, 2021 with ICU Security & Private Investigations (“ICU”) pursuant to Resolution No. 88-2021, for unarmed security guard services at the Lewis County DMV building located on East State Street, Lowville, NY; and

WHEREAS, this was for a period of up to six (6) months with the term commencing on May 10, 2021 through November 5, 2021 at a cost not to exceed \$32.50 per hour, the prevailing wage rate for security guards in the North Country area, all inclusive of taxes, insurance, disability, and any other costs and expenses associated with providing said service. The agreement was extended through December 31, 2021; and

WHEREAS, the Lewis County Clerk desires to enter into a one-year renewal agreement for security guard services in 2022 at a rate of \$32.50 per hour year, between the hours of 8:30 am to 4:00 pm Monday through Friday on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 per day or 37.5 per week; and

WHEREAS, the Board of Legislators wishes to authorize the agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a one-year renewal agreement between the County of Lewis, by and through the Lewis County Clerk, and ICU Security & Private Investigations for unarmed security guard services at the Lewis County DMV building located on East State Street, Lowville, NY.

Section 2. That the term of the Agreement shall be from January 1, 2022 through December 31, 2022, at a cost not to exceed \$32.50 per hour, all inclusive of taxes, insurance, disability, benefits and any other costs and expenses associated with providing said service. The security guard is to provide said services between the hours of 8:30 am to 4:00 pm, Monday through Friday on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 per day or 37.5 per week.

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 Burns, and adopted on the 7th day of December, 2021.

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**RESOLUTION NO. 304 - 2021
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY'S OFFICE
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 Lewis County 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 6/1/22 & 12/31/22
Dr. Samuel Livingstone	Forensic pathologist Consultant & Performs Autopsies	<ul style="list-style-type: none">• Not to exceed \$28,500.00 Additionally, during the 2022 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, 2022 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 Agreement and any required revisions thereto, pending approval by the County Attorney.

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

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Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 305 - 2021
RESOLUTION TO ACCEPT FY2021 EMPG AND SHSP GRANTS
AND APPROPRIATE FUNDS**

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

WHEREAS, the Lewis County Director of Emergency Management submits annual on-line applications for grant funding provided by the US Department of Homeland Security, administered through the NYS Division of Homeland Security and Emergency Services (DHSES), and identified as Emergency Management Performance Grants (EMPG FY2021) and State Homeland Security Program grant (FY21 SHSP); and

WHEREAS, the Director received notification of awards under these two grants; i.e. \$14,889.00 under EMPG FY2021 Grant (Contract # WM2183915), and \$46,946.00 under SHSP FY21 Grant (Contract # WM21190210); and

WHEREAS, the Lewis County Board of Legislators seeks to accept the awards and appropriate the funds;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators accepts the FY21 EMPG and SHSP grant awards, and authorizes the Chairman to execute any additional documents required to receive the funding.

Section 2. That the following appropriation take place for FY21 Homeland Grant:

Increase Revenue:

A0341900 343075	FY21 Homeland grant	\$46,946.00
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Increase Expenditures:

A0341900 291701	FY21 Homeland Equipment	\$43,895.00
A0341900 499701	FY21 Homeland Maintenance	\$ 3,051.00

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

DECEMBER 7, 2021

**RESOLUTION NO. 306 - 2021
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY ETHICS BOARD**

Introduced by Legislator Lawrence 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 Charles Truax, Jr. of Lowville, New York 13367 as a Democratic representative on the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be for the period from January 1, 2022 through December 31, 2024.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 307 - 2021
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 775400)
KNOWN AS CR 17 (WOOD BATTLE ROAD) OVER COBB CREEK**

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

WHEREAS, a Project for the Bridge Replacement on County Route 17 (Wood Battle Road) over Cobb Creek (PIN 775400; BIN 3340150) (the “Project”) in the Town of Harrisburg, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

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

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

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highway system with project eligibility for Marchiselli Program funds determined by NYS DOT;
and

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

Section 3. That the sum of \$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 and Right Of Way Incidentals Phases of the Project, with the federal share being \$126,400.00 and non-federal local cost share being \$31,600.00.

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

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

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

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

Section 8. That \$158,000.00 shall be appropriated in the Capital Bridge Program to facilitate the Preliminary Engineering/Design and Right Of Way Incidental Phases for the Bridge Replacement on County Route 17 (Wood Battle Road over Cobb Creek (PIN 775400; BIN

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3340150) in the Town of Harrisburg. The following accounts shall be recognized to facilitate the funding of this project:

Increase Revenues:

H0512000 345970 Federal	\$126,400.00
H0512000 350310 Local	<u>\$ 31,600.00</u>
Project HAT	\$158,000.00

Increase Expenditures:

H0512000 499900 Expenditures	\$158,000.00
Project HAT	

Section 9. That the within Resolution shall take effect immediately.

Moved by Legislator Osborne , seconded by Legislator Burns , and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 308 - 2021
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 775399)
KNOWN AS MARSHEY ROAD OVER WEST BRANCH OSWEGATCHIE RIVER**

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

WHEREAS, a Project for the Bridge Replacement on Marshey Road over West Branch Oswegatchie River (PIN 775399; BIN 3339960) (the “Project”) in the Town of Diana, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

Section 3. That the sum of \$170,000.00 is hereby appropriated from County general funds and made available to cover the cost of participation in the above Preliminary Engineering/Design and Right Of Way Incidentals Phases of the Project, with the federal share being \$136,000.00 and non-federal local cost share being \$34,000.00.

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

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

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

Section 8. That \$170,000.00 shall be appropriated in the Capital Bridge Program to facilitate the Preliminary Engineering/Design and Right Of Way Incidental Phases for the Bridge Replacement on Marshey Road over West Branch Oswegatchie River (PIN 775399; BIN 3339960) in the Town of Diana. The following accounts shall be recognized to facilitate the funding of this project:

Increase Revenues:

H0512000 345970 Federal	\$136,000.00
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H0512000 350310 Local	<u>\$ 34,000.00</u>
Project HAU	\$170,000.00

Increase Expenditures:
H0512000 499900 Expenditures \$170,000.00
Project HAU

Section 9. That the within Resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 309 - 2021
RESOLUTION TO CLOSE
JERDEN FALLS BRIDGE PROJECT**

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

BE IT RESOLVED, as follows:

Section 1. That the listed Capital Account be closed and all funds be appropriated.

Decrease Revenue:
Project HAK

H0512000 345970 Federal	\$1,518,054.62
H0512000 350310 Local / Interfund	\$ 648,446.45

Increase Revenue:
Project HAK

H0512000 335910 NYS	\$ 288,026.57
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Decrease Expenditure:
Project HAK

H0512000 499900 Project Expense	\$1,878,474.50
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 310 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY GENERAL HOSPITAL**

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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 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>
Orthopedic Technician (1)	Full-time	Not to exceed \$55,000 annually
Accountant (1)	Full-time	Not to exceed \$70,000 annually

Section 2. That the following positions are hereby abolished:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Senior Keyboard Specialist (1)	Full-time	\$16.92 - \$22.20/hour

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 311 - 2021
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby recommends re-appointment of Howard Meny, MD of Glenfield, NY, as a member of the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence January 1, 2022 and expire on December 31, 2026.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

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**RESOLUTION NO. 312 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND PARK STRATEGIES, LLC TO PROVIDE
PROFESSIONAL GOVERNMENT RELATIONS ADVOCACY, REPRESENTATION
AND STRATEGIES OBO LEWIS COUNTY BEFORE
NEW YORK STATE GOVERNMENT**

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

WHEREAS, the Lewis County Board of Legislators has invested considerable time and effort over many years to engage various legislative and executive members representing New York State Government, with the unique Lewis County environment, community and needs; the County's priorities and stated objectives, including but not limited to recreational tourism and economic development initiatives; and

WHEREAS, in order to have more successful, supportive results from NY State stakeholders and decision makers, the County seeks to engage a professional firm who is experienced and qualified to represent, advocate and provide local government perspectives before New York State government, tailored to the specific goals and initiatives of Lewis County; and

WHEREAS, Park Strategies, LLC, of Albany, NY, has a proven track record of successful advocacy and representation of County government at the State level. The firm has forged important partnerships and collaborations with all branches of government in order to assist its municipal clients in attaining success and goals in legislative initiatives, policy making, economic development and health care; and

WHEREAS, Park Strategies provided a detailed cost proposal and scope of services/deliverables to identify and develop a strategy designed to meet the County's stated goals which include advocacy for economic development and ATV/UTV favorable legislation; to engage and interface with NYS Legislature, Division of Budget, Governor's Office and Executive controlled agencies to further specific goals and legislative impacts for Lewis County; and

WHEREAS, the Chairman seeks to have the Board accept this proposal and authorize an agreement with Park Strategies, LLC for professional lobbying services as outlined in its proposal dated November 30, 2021 at a cost of \$5,000.00/month for a twelve month period;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Park Strategies, LLC, of 111 Washington Avenue, Suite 600, Albany, NY 12207 to provide professional government relations on behalf of the County of Lewis as its advocate and representative before New York State government, tailored to the specific goals and initiatives identified by the County, including but not limited to economic development,

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outdoor recreation and tourism, especially involving ATV/UTV use and access, health care, and other initiatives important for the growth of Lewis County, all as outlined in the proposal dated November 30, 2021, at a cost of \$60,000.00 for a twelve-month term (\$5,000.00 per month).

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

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

Moved by Legislator Chartrand, seconded by Legislator King.

Legislator Hathway questioned what was meant by “healthcare and other initiatives” in the resolution. County manager Ryan Piche responded by explaining that it could be for items like the Certificate of Need that the hospital was waiting on several months ago from the Department of Health. They would be able to advocate and find out what the holdup is or if additional information is needed to move the process forward. This group would be able to advocate on our behalf for any issues that the county is interested in.

Legislator Hathway questioned if more issues would equate to more cost, Ryan assured him this was a flat fee for the whole year regardless of what or how many topics they would advocate on our behalf for.

The resolution was then adopted on the 7th day of December, 2021.

**RESOLUTION NO. 313 - 2021
RESOLUTION APPOINTING MEMBERS TO
OFFICE FOR THE 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 appoints the following individuals to the Lewis County Office For the Aging Advisory Council:

District No. 8 – Mary Ellen McManus of Lyons Falls, NY
Social Services Representative – Jennifer Jones of Beaver Falls, NY
Older Minority Representative – Linda P. Hirschey of Lowville, NY

Section 2. The term of said appointments shall commence January 1, 2022 and expire on December 31, 2024.

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

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Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 314 - 2021
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN OFFICE FOR THE AGING AND
FREDERICK J. MCMANUS, DBA MCMANUS HOTEL
AND OSCEOLA OUTPOST, LLC**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, Lewis County Office For the Aging (“OFA”) desires to enter into meal site agreements with Frederick J. McManus, dba McManus Hotel, and Osceola Outpost, LLC to provide senior meals for the Nutrition Program for the elderly residents in Lewis County; and

WHEREAS, OFA entered into an agreement with Frederick J. McManus for a pilot program on September 8, 2021 for six (6) weeks and offered Lewis County residents age sixty (60) and over to have one meal a week using fresh, locally sourced foods with the options of dine in or take out. OFA desires to continue with this program at the Maple Ridge Center facility; 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 agreements between the County of Lewis and the following providers to provide senior meals for the Nutrition Program and to continue the Evening Meal program at Maple Ridge Center facility in the amounts herein set forth:

CONTRACTOR	AMOUNT
Frederick J. McManus (DBA McManus Hotel)	Nutrition Program: \$10.25 per meal
	Evening Meal at Maple Ridge for two 6 week sessions of one evening meal per week May/June 2022 September/October 2022 \$15.00 per meal
Osceola Outpost, LLC	\$10.25 per meal \$300.00 per month for rent

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Section 2. That the Agreements shall be for the term commencing on January 1, 2022 through December 31, 2022, except for the one evening meal per week at Maple Ridge for six (6) weeks each in May/June and September/October.

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 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 7th day of December, 2021.

**RESOLUTION NO. 315 - 2021
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 Lewis County Board of Legislators hereby approves the following contracts for fiscal year 2022, at the amounts set opposite to each respectively:

<u>OUTSIDE AGENCY</u>	<u>AMOUNT</u>
Adirondack North Country Association	\$ 1,000.00
Adirondack Park Local Government Board	800.00
Chamber of Commerce	85,000.00
Constable Hall Association	2,000.00
Cornell Cooperative Extension of Lewis County	320,000.00
County of Lewis Industrial Development Agency	200,000.00
Double Play Community Center	20,000.00
Hand In Hand Early Childhood Center	10,000.00
International Maple Museum Centre	2,000.00
Lewis County Agricultural Society	5,000.00
Lewis County Development Corporation	30,000.00
Lewis County General Hospital Foundation	20,000.00
Lewis County Historical Society	35,000.00
Lewis County Soil & Water Conservation District	125,000.00
Lyons Falls Historical Association	2,000.00
Mountain View Prevention	22,620.00
North Country Library	40,000.00
Oneida-Lewis Chapter, NYSARC	25,000.00
Railway Historical Society NNY	2,000.00
Town of Diana Museum	2,000.00

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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 Agreements, and any amendments thereto.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

RESOLUTION NO. 316 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND SPECTRUM ENTERPRISE FOR FREE PUBLIC
WI-FI ACCESS POINTS IN VARIOUS LEWIS COUNTY VILLAGES AND HAMLETS

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 three-year internet service contract with Spectrum Enterprise in order to invest in free public Wi-Fi access points to serve the Villages and Hamlets of Constableville, Croghan, Harrisville, Glenfield, Castorland, Beaver Falls, Turin, Lowville, Lyons Falls, West Leyden, Brantingham, Martinsburg, New Bremen and Watson. (The Villages of Copenhagen and Port Leyden will receive free Wi-Fi access points through other funding sources); and

WHEREAS, this investment is an effort by the County to promote community development, economic development and recreational tourism throughout the Lewis County Hamlets, by utilization of up to \$370,000.00 of the American Rescue Plan funds to expand Wi-Fi access under this contract; and

WHEREAS, in addition to the community and economic benefits these Wi-Fi access points and service may garner, the County will be able to utilize this managed Wi-Fi service to further evaluate the County's broadband needs, conduct surveys and collect tourism data; and

WHEREAS, the proposal from Spectrum Enterprise, a commercial brand of Charter Communications, is to install and manage Wi-Fi access point equipment or coax internet equipment at various locations in the Hamlets identified above, in accordance with the specific address locations set forth in the proposal. Pricing is based upon the cost of equipment, installation and monthly service fees; and

WHEREAS, the Lewis County Board of Legislators wishes to enter into this contract and provide this service to the community for an initial three-year period;

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. The Lewis County Board of Legislators hereby authorizes a three-year contract with Spectrum Enterprise to provide the equipment, installation and management services for Wi-Fi internet service in the named Villages and Hamlets in Lewis County as set forth in their proposal, through access points that will provide free Wi-Fi hotspots to the community.

Section 2. The term of this investment shall be a three-year contract with Spectrum Enterprise, commencing on a date mutually set by the parties pursuant to the terms and conditions of the agreement, at a cost not to exceed \$368,563.00, inclusive of cost of equipment, installation and monthly charges for service.

Section 3. The Lewis County Board of Legislators directs that the costs of this contract and investment in internet service infrastructure be paid from the American Rescue Plan funds, and hereby authorizes all necessary budget appropriations and transfers required for same.

Section 4. The Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute, seal and deliver the Agreement upon such terms and conditions as may be approved 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 7th day of December, 2021.

**RESOLUTION NO. 317 - 2021
RESOLUTION AUTHORIZING MODIFICATION AND EXTENSION AGREEMENT
BETWEEN LEWIS COUNTY AND MILLER ENGINEERS PLLC AND WITH NYS
DEPARTMENT OF STATE FOR ADDITIONAL PROFESSIONAL SCOPE OF
SERVICES UNDER THE GRANT AWARDED FOR THE
“CENTRAL LEWIS COUNTY REGIONAL WATER PROJECT”**

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

WHEREAS, Lewis County, acting as lead applicant, joined with other local municipalities in the middle portion of the county to create the “Central Lewis County Regional Water Project” (“CLCRWP”), in applying for a Local Government Efficiency Implementation Grant from the Department of State under the State Consolidated Funding Application (CFA) process; and

WHEREAS, the CLCRWP was awarded a grant from the Department of State in the amount of \$297,000 (Contract No. C1001126) to examine current water systems and their ability to treat and transmit additional supply in the Central part of the county so that the participating municipalities may benefit from increased and improved water infrastructure in order to benefit economic development activity, including commercial development and residential housing improvement; and

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WHEREAS, under the terms of the Grant, the County contracted with Miller Engineers PLLC to provide professional consultant services outlined in the scope of services at a cost of \$253,000.00; said contract extended through March 31, 2022; and

WHEREAS, the Planning Department seeks to modify and extend the contract with Miller Engineers to provide additional tasks and a revised scope of work for possible implementation of the original findings and recommendations at an additional cost of \$92,400.00 and to extend and modify the grant contract with NYS DOS through March 31, 2023 with the revised work plan proposed by Miller Engineers; and

WHEREAS, there are unexpended grant funds of \$44,000.00 available, plus unexpended funds of \$49,352.05 under the original contract with Miller Engineers to cover the cost of the additional scope of services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the contract with Miller Engineers to provide additional scope of services set forth in its proposal dated October 18, 2021, under the Central Lewis County Water Study, in the amount of \$92,400.00; and to extend the term through March 31, 2023.

Section 2. The Lewis County Board of Legislators hereby authorizes an amendment to the NYS DOS grant agreement (C1001126) to extend the term through March 31, 2023 and to provide for a revised work plan consistent with the additional scope of work to be provided by Miller Engineers.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement, and any non-financial amendments thereto upon such form and such terms as may be acceptable to the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Burns, seconded by Legislator King.

Legislator Chartrand recalled that the initial report stated that there would be meetings with the four group entities involved and the Village of Lowville however Planning has only met with one of the entities and he felt strongly that they should meet with all entities involved. Legislator King questioned if other entities are being allowed to join because they had the opportunity to join early on and didn't want to. Legislator Chartrand clarified that he felt the involving the Village of Lowville was just so everyone could understand what has happened in the past and what the best direction to head would be.

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County Manager Ryan Piche stated that Millers is aware that they need to hold a group meeting with all entities involved. The project will not include anything specific for the Village of Lowville because they didn't want to join the study.

The resolution was then adopted on the 7th day of December, 2021.

**RESOLUTION NO. 318 - 2021
RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND BRASCO INTERNATIONAL, INC.
FOR THE PURCHASE OF BUS STOP SHELTERS**

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

WHEREAS, the Lewis County Department of Planning and Community Development recently sent out Request for Proposals for the purchase of six (6) prefabricated bus stop shelters, including delivery, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the Director of Planning and members of the General Services Committee and Deputy Clerk of the Board were present on October 29, 2021, at 1:00 p.m. to open three (3) bids received in response to the RFP; and

WHEREAS, after review and consideration of the proposals, in accordance with the specifications and scope of work set forth in the RFP, the Director of Planning recommends awarding the bid to Brasco International, Inc, the lowest bidder, at \$ \$74,200.00; and

WHEREAS, the Board of Legislators seeks to award the bid to Brasco International, Inc. and authorizes 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 Brasco International, Inc., of Madison Heights, MI 48071 for purchase and deliver of six (6) prefabricated bus stop shelters in accordance with the specifications 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 any and all additional terms and conditions recommended by the County Attorney, at a cost of \$74,200.00.

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

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

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Moved by Legislator King, seconded by Legislator Moroughan.

Legislator Chartrand questioned if the issue on maintenance of these structures was resolved. Planning Director Casandra Buell stated that TLS has agreed to maintain the bus stop shelter at their downtown location. The only bus stop shelter that is still be discussed is the one designated to be put next to Dollar General in downtown. At this point no one is willing to maintain it, so it won't be installed until that is resolved.

The resolution was then adopted on the 7th day of December, 2021.

**RESOLUTION NO. 319 - 2021
RESOLUTION SETTING ADVERTISING RATES AND AUTHORIZING
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 at the revised rates herein set forth:

QUANTITY	LEASING SPACE	RATE
1	18" x 60" Curb-side or Street-side	\$600.00
2+	18" x 60" Curb-side or Street-side	\$550.00 for each additional sign
1	15" x 50" Curb-side	\$600.00
2+	15" x 50" Curb-side	\$550.00 for each additional sign
1	12" x 22" Rear Showcase	\$450.00
1	10" x 20" Rear Showcase	\$450.00
2+	12" x 22" and/or 10" x 20" Rear Showcase	\$415.00 for each additional sign
1	10.25" x 30" Interior Showcase	\$450.00
2+	10.25" x 30" Interior Showcase	\$415.00 for each additional sign
1	44" x 60" Bus Shelter Advertising Box (DSS)	\$315.00

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

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entities who purchase advertising space on a Lewis County Public Transportation bus or bus stop shelter; and

WHEREAS, the Board of Legislators seeks to authorize these requests;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Board to execute any and all Lewis County 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. The authority of the Chairman to execute the agreements shall continue until rescinded or modified by 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 Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 320 - 2021
RESOLUTION AUTHORIZING FUNDING APPLICATION TO NEW YORK STATE
DEPARTMENT OF TRANSPORTATION ACCELERATED TRANSIT CAPITAL (ATC)
PROGRAM FOR THE LEWIS COUNTY PUBLIC 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 Public Transportation System (LCPT), the Planning Department seeks to submit an application to NYSDOT under the ATC program and apply to use \$20,000 of the \$36,452 available from the 2021 ATC funding towards the purchase and installation of six (6) bus stop shelters, in combination with MEP funding; 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:

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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 \$20,000 from the 2021 ATC program toward the purchase and installation of six (6) new bus stop shelters for LCPT.

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 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 7th day of December, 2021.

**RESOLUTION NO. 321 - 2021
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND SPECTRUM REACH
FOR A CABLE ADVERTISING CAMPAIGN AND
MOBILE DIGITAL AUDIENCE NETWORK 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 Spectrum Reach for a Cable Advertising Campaign and Mobile Digital Audience Network Campaign, designed to serve and promote public transportation services throughout Lewis County; and

WHEREAS, the Cable Advertising Campaign includes 1,670 spots on Spectrum News 1, E!, Hallmark, TLC and the History channels. The Mobile Digital Audience Network campaign will use news, colleges and universities, distance learning, credit and lending, sports, celebrities and entertainment news across 25 zip codes 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 Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the renewal Agreement between the County of Lewis, acting by and through the Lewis County Planning Department, and Spectrum Reach for a Cable Advertising Campaign and Digital Audience Network Campaign designed to serve and promote public transportation services throughout Lewis County.

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Section 2. That the advertising plan and schedule will run from January 3, 2022 through December 25, 2022 for both campaigns at a cost not to exceed \$8,711.00.

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, and any amendments thereto, upon such terms 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 7th day of December, 2021.

**RESOLUTION NO. 322 - 2021
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 149 commercials on WWNY (CBS); at least 193 commercials on WNYF (Fox 28) television stations; and at least 312 commercials on ENYF (Me TV) television stations, for a total of at least 654 commercials. This also includes digital platforms consisting of a mobile application that will link to Lewis County Public Transportation FaceBook page, at a total cost not to exceed \$15,008.00; and

WHEREAS, the Board of Legislators wishes to enter into the renewal Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County 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 December 27, 2021 through December 30, 2022, with at least 654 commercials and a 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 \$15,008.00.

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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, and any amendments thereto, upon such terms 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 7th day of December, 2021.

**RESOLUTION NO. 323 - 2021
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF PROBATION AND
RUBENZAHL, KNUDSEN & ASSOCIATES PSYCHOLOGICAL SERVICES, P.C.**

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

WHEREAS, the Lewis County Probation Department (“LCPD”) wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals and psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Lewis County Probation Department, and Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals and psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required.

Section 2. That the term of this agreement shall be January 1, 2022 through December 31, 2022 at the following fees:

SEX OFFENDER ASSESSMENT AND THERAPY	PSYCHOLOGICAL SERVICES FOR JUVENILE DELINQUENTS
\$75.00 per session for group therapy	\$90.00 per hour for therapy
\$110.00 per hour for individual therapy	\$125.00 per hour for psychological evaluations
\$550.00 per completed sex offender assessment (Youth & Adult)	\$75.00 per hour for clients receiving group treatment
	\$150.00 per hour for expert court testimony
	\$90.00 per session, to include RKPS presence at monthly clinical treatment team meeting if applicable

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Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, 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 7th day of December, 2021.

**RESOLUTION NO. 324 - 2021
RESOLUTION AUTHORIZING CONTRACT BETWEEN THE
COUNTY OF LEWIS AND NEW YORK STATE
OFFICE OF INDIGENT LEGAL SERVICES
(GRANT DISTRIBUTION #12)**

Introduced by Legislator Jerry King, Chair of 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 notice of a grant award from the New York State Office of Indigent Legal Services in the amount of \$56,964.00 (“Distribution #12”), Contract Number C120022, for the provision of funds to assist the County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in the grant contract; and

WHEREAS, the Board of Legislators wishes to accept the grant and enter into the contract for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a contract by and between the County of Lewis and New York State Office of Indigent Legal Services (ILS) to provide grant funds in the amount of \$56,964.00 under Distribution #12 to assist the County in improving the quality of indigent legal services provided.

Section 2. That the term of Contract No. C120022 is effective January 1, 2022 through December 31, 2024, and as may be extended.

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 said agreement and any amendments and extensions thereto, to effectuate the purpose of this Resolution, upon such form as approved by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 325 - 2021
RESOLUTION AUTHORIZING CONTRACT WITH
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, 2022 and continue through December 31, 2022.

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.

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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 Burns , and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 326 - 2021
RESOLUTION PROVIDING COMMENT TO THE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION (DEC) ON THE TUG HILL EAST
DRAFT UNIT MANAGEMENT PLAN (UMP)**

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

WHEREAS, the Tug Hill East Unit Management Plan (UMP) is a long range vision by the NYS DEC for the management of the Cottrell States Forest, East Branch of Fish Creek State Forest, East Osceola State Forest, Lesser Wilderness State Forest, Line Brook State Forest, Mohawk Springs State Forest, Raywood Unique Area, Swancott Mill State Forest, East Branch Fish Creek North Conservation Easement and East Branch Fish Creek South Conservation Easement, attempting to balance long-term ecosystem health with current and future uses and demands. This 20,322-acre Tug Hill East Unit consists of State Forest lands in the towns of Osceola, Lewis, Turin, West Leyden, and Martinsburg in southeastern Lewis County. The Unit has acres of wetlands, miles of classified streams and 27 miles of roads and recreational trails; and

WHEREAS, the Tug Hill East UMP team is looking for public comment and participation from “interested parties who have local knowledge of the Unit or a unique bond with the land” (DEC Press Release November 1, 2021); and

WHEREAS, the County of Lewis agrees that the Tug Hill East Unit is an amazing resource which offers incredible recreational opportunities. The DEC, however, needs to recognize and include public ATV access on any proposed State Forest roads, recreational trails and easements and not select a few options. These proposals can provide essential community connectors for activities vital to the Lewis County economy, while maintaining the ecosystem health of the forest; and

WHEREAS, the 20,322-acre Tug Hill East Unit, comprised of working forest properties, has extensive infrastructure and a demonstrated capacity to withstand motorized use and activities consistent with recreational ATV activities; and

WHEREAS, motorized vehicle (including ATVs) access has been an historic part of recreational and sportsman’s activities in Lewis County, and in particular, on the properties of the Tug Hill East Unit; and

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WHEREAS, the DEC should recognize the importance to Lewis County and its economy, of the unique and historic sportsman and recreational uses, including ATVs, within this Unit Management Plan. These plans should include recreational, sportsman's and handicap/limited mobility ATV uses so that there are community connectors between and among the Lewis County towns and the Lewis County ATV trail system; 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. Expansion of the system by means of community connectors through these forest properties will only enhance the "incredible recreational opportunities" DEC recognizes that these lands provide, while supporting Lewis County economic development through recreational and tourism features; and

WHEREAS, the Lewis County Board of Legislators proposes that the DEC work with Lewis County's interested parties (the County, community clubs and organizations, and other local municipalities) who depend upon recreational activities, including ATV recreational activities, in attracting residents and visitors to share in the uniqueness of these outdoor activities, so vital to our local economy. The DEC should work with local entities to layout, design and maintain community connectors to the Lewis County ATV trail system within the Tug Hill East Unit Management Plan. In so doing, the DEC will be supporting its stated mission to "maximize public access points for public recreation uses", by including ATV access in the Plan;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-states its support of the above comments and recommendations for transmittal to the NYS DEC.

Section 2. That the Chairman, or the Vice-Chairman of the Board of Legislators be and the same is hereby authorized to deliver copies of this Resolution to Andrea Mercurio, Forester, DEC Lowville Sub-Office, 7327 State Route 812, Lowville, NY 13367; to Basil Seggos, Commissioner of the Department of Environmental Conservation; to Randall Young, DEC Region 6 Director; and to any other appropriate State and Local agencies, representatives, and officials as he may deem appropriate.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

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**RESOLUTION NO. 327 - 2021
RESOLUTION AUTHORIZING EXTENSION/RENEWAL AGREEMENT WITH
DAVID F. ROSNER MD, PLLC, A PROFESSIONAL SERVICE LIMITED LIABILITY
COMPANY 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, the County seeks to continue the services of a professional service limited liability company, namely, the David F. Rosner MD, PLLC (“PLLC”), with principal offices at 18547 Rosner Drive, Carthage, NY 13619, as an independent contractor, in providing the delivery of medical services to the inmates in the Lewis County Jail as set forth in the agreement dated January 28, 2021; and

WHEREAS, in consideration of providing said services in accordance with the terms and conditions set forth in the January 28, 2021 agreement, the PLLC shall be compensated at an annual rate of \$35,172.00, payable in equal monthly installments of \$2,931.00 commencing January 1, 2022 through December, 2022; and

WHEREAS, the Board of Legislators seeks to enter into an extension agreement with the PLLC for these professional services payable under the Sheriff’s budget;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County 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 an independent contractor, to provide for medical services to the inmates in the Lewis County Jail, in accordance with Correction Law § 501 2., pursuant to the terms and conditions set forth in the Agreement dated January 28, 2021 as herein extended.

Section 2. That pursuant to Correction Law § 501 2., the Lewis County Board of Legislators, hereby designates David F. Rosner, MD, a physician from the named professional service limited liability company, to act as the chief medical officer of the jail and the PLLC.

Section 3. That the term of the extension/renewal shall be from January 1, 2022 through December 31, 2022, with the PLLC compensated as an independent contractor at an annual flat rate amount of \$35,172.00, payable in twelve (12) monthly installments of \$2,931.00

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commencing January 1, 2022 and monthly thereafter, upon receipt of proper invoices from the PLLC

Section 4. 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 Extension Agreement upon such form as may be approved by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 328 - 2021
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS WITH
UNITED RADIO, INC., E. F. JOHNSON 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 enter into two-year renewal agreements with the following providers regarding remote maintenance and support services for the E911 Radio Emergency Communications System:

CONTRACTOR	PURPOSE	AMOUNT	TERM
United Radio, Inc.	Maintenance & Repair for the Radio System and all Equipment	\$96,005.70	January 1, 2022 – December 31, 2023
E. F. Johnson	Remote Support for the Radio System	\$31,321.35	February 1, 2022 – January 31, 2023
Aviat Networks	Remote Support for the Radio Microwave Network	\$8,658.00	January 1, 2022 – December 31, 2023

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes two-year renewal Agreements between the County of Lewis and the above providers for remote maintenance and support services for the E911 Radio Emergency Communications System as described above.

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Section 2. That there is no County cost, as all services are fully funded under the 2020-2021 SICG 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 Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 329 - 2021
RESOLUTION AMENDING DIRECT FOSTER CARE PARENT CONTRACTS
WITH OCFS MANDATORY RATE INCREASES**

Introduced by Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, in 2015, the Lewis County Board of Legislators adopted the Statutory Trend Factor (“STF”) rates for Direct Care and Direct Support Professionals Initiative, enacted by the state legislature applicable to all programs for which the Office of Children and Family Services (“OCFS”) established Maximum State Aid Rates and Committee on Special Education Maintenance Rates pursuant to SSL 398-a and sections 4403 and 4405 of the Education Law, and in payment to foster parents and adoptive parents and kinship guardianship assistance program guardians beginning January 1, 2015; and

WHEREAS, OCFS has notified DSS that these rates have been adjusted effective and retroactive to April 1, 2021, with a 1% increase in rates for: Basic Room and Board Payment to Foster Parents, Adoptive Parents and KinGap Guardians; Clothing and Diaper Allowance; and Emergency Placements; and

WHEREAS, the LC Commissioner of Social Services requests that the Board of Legislators amend the existing contracts with foster parents to allow for the updated rates for Foster Care services, and allow for periodic adjustments to the contracts in accordance with any rate increases updated and mandated by OCFS going forward;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Lewis County Board of Legislators hereby authorizes amendments to the existing contracts with foster, adoptive parents and kinship guardianship assistance to adjust the rates of payments to reflect the increases established by OCFS, effective and retroactive to April 1, 2021 for: Basic Room and Board Payments to Foster Parents, Adoptive Parents and KinGap Guardians; Clothing and Diaper Allowance; and Emergency Placements, as set forth in the OCFS charts below:

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Effective April 1, 2021: Basic Room and Board Payments to Foster Parents; Clothing and Diaper Allowance

According to Age and Level Of Difficulty	Rate per day for basic room & board	Allowance for Child (per month)
Level of Difficulty 1 = Normal Rate		
Age birth to 5	\$17.08	Includes Diaper Allowance \$1.83/day
Age 6 to 11	\$18.32	
Age 12 and Over	\$19.49	
Level of Difficulty 2 = Special Rate		
Age birth to 5	\$30.51	Includes Diaper Allowance \$1.83/day
Age 6 to 11	All Ages	
Age 12 and Over		
Level Of Difficulty 3 = Exceptional		
Age birth to 5	\$46.20	Includes Diaper Allowance \$1.83/day
Age 6 to 11	All Ages	
Age 12 and Over		
Person In Need of Supervision (PINS) RESPITE	\$42.45	
Emergency Placement (Up to 14 Days)	\$21.23	
Special Payment: Foster parents receive \$35 for child's birthday; and \$35 for child for Christmas.		
Independent Living Stipend: For foster children who has a goal of discharge to independent living according to their case plan and/or is actively participating in independent living services. The independent living stipend is provided to teach the youth to manage money, and with a means to accumulate savings to assist them in the transition to independent living.		
The following schedule is required per NYS Statute:		
16 years old	\$20 per month	
17 years old	\$25 per month	
18 years old	\$30 per month	
19 years old	\$35 per month	
20 years old	\$40 per month	

**Clothing Grant is Paid Monthly
Separate from the Room & Board Rate
Effective April 1, 2021**

AGE	Per Day
0 – 5	\$1.05

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6 – 11	\$1.47
12 – 15	\$2.33
16 +	\$2.41

Effective April 1, 2021: Basic Room and Board Payments to Adoptive Parents and KinGAP; Clothing and Diaper Allowance

According to Age and Level Of Difficulty	Rate per day for basic Room & Board	
Level of Difficulty 1 = Normal Rate		
Age birth to 5 Includes Diaper Allowance \$1.83/day	\$18.13	Rate Includes Clothing Allowance
Age 6 to 11	\$19.80	See Chart Below
Age 12 to 15	\$21.83	
Age 16 to 21	\$21.91	
Level of Difficulty 2 = Special Rate		
Age birth to 5 Includes Diaper Allowance \$1.83/day	\$31.56	Rate Includes Clothing Allowance
Age 6 to 11	\$31.99	See Chart Below
Age 12 to 15	\$32.85	
Age 16 to 21	\$32.93	
Level Of Difficulty 3 = Exceptional		
Age birth to 5 Includes Diaper Allowance \$1.83/day	\$47.25	Rate Includes Clothing Allowance
Age 6 to 11	\$47.67	See Chart Below
Age 12 to 15	\$48.53	
Age 16 to 21	\$48.61	

**Clothing Grant is Paid Monthly
Separate from the Room & Board Rate
Effective April 1, 2021**

AGE	Per Day
0 – 5	\$1.05
6 – 11	\$1.47
12 – 15	\$2.33

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16 + \$2.41

Section 2. That the Lewis County Commissioner of Social Services is hereby authorized to execute any amendments to existing contracts, and all new contracts with foster care/adoptive parents and Kinship Guardians, with inclusion of provisions for payment increases or adjustments mandated by OCFS, and such other terms as the County Attorney may approve.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 330 - 2021
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN THE COUNTY OF LEWIS ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OPPORTUNITIES, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into agreements with Lewis County Opportunities, Inc. for the provision of Non-Residential Domestic Violence Services and Residential Domestic Violence Services at the following rates; 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	Daily rate established by NYS OCFS and approved by director of budget of the State of NY

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 the Agreements between the County of Lewis, by and through the Department of Social Services, and Lewis County Opportunities, Inc. for the purpose of providing residential and non-residential domestic violence services.

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Section 2. That the term of these Agreements shall be from January 1, 2022 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 7th day of December, 2021.

**RESOLUTION NO. 331 - 2021
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
VARIOUS PROVIDERS FOR PROGRAM AND OPERATING SERVICES**

Introduced by Legislator Andrea Moroughan, Chair of the Health and Human Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to renew agreements with the following various providers for program and/or operating services; and

WHEREAS, DSS receives state aid funding for some of these services by providers, and may receive adjustments to the initial state aid funding for each named provider agency based upon a Cost Of Living Adjustment (“COLA”) or other funding adjustment determined by the state; and

WHEREAS, the provider, services and rates are:

CONTRACTOR	PURPOSE	AMOUNT
Doyle Security Systems <u>(New Entity from S.T.A.T. Communications Merger)</u>	Personal Emergency Response Services (PERS) to Medical Assistance Recipients	<ul style="list-style-type: none">• PERS Monthly Service Charge for Voice Unit – 1 person \$25.00• PERS Monthly Service Charge for Voice Unit – 2 persons \$30.00• Two Year Agreement

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<p><u>Resolution Center of Jefferson & Lewis Counties, Inc.</u></p>	<p>Diversion Services</p>	<p>Not to exceed \$12,000 Local: 25% State: 25% Federal: 50% One Year Agreement</p>
<p>Lifeline Systems Company, Inc.</p>	<p>Personal Emergency Response Services to Medical Assistance Recipients</p>	<p>(No Local Share Cost) Billed through Medicaid and rates are set by the State One Year Agreement</p>
<p>Family Counseling Service of NNY, Inc.</p>	<p>Counseling</p>	<ul style="list-style-type: none"> •Indiv. Sessions - \$80/hr •Intakes/Exit Sessions - \$80/hr •Group Sessions - \$55/hr •Serv. Plan Reviews - \$80/hr •No-show:Indiv. & Intake-\$40/hr •No-Show: Group - \$27.50/hr •Visits:Nurturing Parent - \$160/hr •Court Testimony - \$75/hr •Travel - \$80/hr •One Year Agreement
<p>Rubenzahl, Knudsen & Associates</p>	<p>Psychological Services</p>	<ul style="list-style-type: none"> • One Year Agreement • \$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 • \$750 for Attachment Parenting Classes • \$175 for QI Assessments • IRS rate for travel <ul style="list-style-type: none"> • Local: 36% • State: 14% • Federal: 50%

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U. S. Care Systems, Inc.	Personal Care Services	(No Local Share Cost) Billed through Medicaid and rates are set by the State One Year Agreement
Volunteer Transportation Center, Inc.	Purchase of Transportation Services	<ul style="list-style-type: none"> • \$1,000/mo flat rate plus IRS mileage rate, meals & hotels when required at Medicaid rates) One year Agreement
Transitional Living Services of Northern NY, Inc.	Psychiatric and/or psychological evaluations	<ul style="list-style-type: none"> • For those receiving DSS services • \$158/per assessment, exam for employability, for those not covered by own insurance • IRS rate for travel • Fed- 50%; State 14%; Local share 36% • One Year Agreement
Ed & Ed Print	Mailing System Lease and Maintenance Support	<ul style="list-style-type: none"> • \$164.68/month • 63 month lease and services

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes renewal Agreements between the County of Lewis, on behalf of the Department of Social Services, and the various providers for program and operating services in the amounts therein set forth, with any appropriate cost of living adjustment or other funding adjustment set forth by the State which may apply.

Section 2. That the term of each identified Agreement is 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, including any COLA or funding increases/adjustments, 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 7th day of December, 2021.

**RESOLUTION NO. 332 - 2021
RESOLUTION AUTHORIZING AMENDMENT (CHANGE ORDER NO. 3)**

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TO AGREEMENT BETWEEN THE COUNTY OF LEWIS AND C&S TECHNICAL RESOURCES, INC. FOR GENERAL CONTRACTING SERVICES UNDER THE LOWVILLE SOLID WASTE TRANSFER STATION UPGRADE PROJECT

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

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department, entered into an agreement with C&S Technical Resources, Inc., (“C&S”) to provide general construction services as outlined in the RFP for transfer station renovations/improvements, at a cost of \$1,233,000.00; and

WHEREAS, pursuant to Resolution No. 136-2021, the Board of Legislators authorized an increase to the contract for material costs, bringing the total contract to \$1,255,785.00 and pursuant to Resolution No. 221-2021, the Board of Legislators authorized an increase to the contract due to grade changes required, bringing the total contract to \$1,379,646.10; and

WHEREAS, due to modifications required for the transfer station, both the Project Engineer and the construction contractor, C&S, seek a third change order to the C&S contract in the amount of \$72,498.00 for the following:

Item	Description	Amount
a.	Delays in manufacturing of PEMB and retaining wall blocks	\$ 0.00
b.	Additional concrete infill related to extending wall height	\$39,699.00
c.	Owner requested changes to push wall steel configuration due to lowering load out floor	\$22,855.80
d.	Value engineering/material availability	(\$3,072.00)
e.	Asphalt price escalation since time of bid to time of placement (Feb. DOT index price-\$486, Nov. DOT index price-\$570-17% increase)	\$13,015.20
	Change Order No. 3 Subtotal	\$72,498.00
	TOTAL REVISED CONTRACT AMOUNT	\$1,452,144.10

WHEREAS, the Lewis County Board of Legislators seeks to authorize Change Order No. 3 to the agreement with C&S;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes Change Order No. 3 to the contract with C&S Technical Services, Inc., for general construction services at the Lowville Transfer Station project, as outlined above due to the modifications required.

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Section 2. That the Lewis County Board of Legislators authorizes said amendment/change order for additional itemized construction materials and costs of \$72,498.00, thereby increasing the total contract amount to \$1,452,144.10.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Amendment/Change Order, 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 7th day of December, 2021.

**RESOLUTION NO. 333 - 2021
RESOLUTION TO AMEND INVESTMENT POLICY
FOR THE COUNTY OF LEWIS**

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

WHEREAS, the Lewis County Board of Legislators adopted the “Investment Policy & Guidelines for Lewis County” pursuant to Resolution 369-2020; and

WHEREAS, recent changes in state law require an amendment to the investment policy to comply with the types of investments permitted and identified under Article XI of the policy; and

WHEREAS, the County Treasurer, after consultation with the investment adviser, Three Plus One, recommends that the Board of Legislators accept these changes and amend the policy;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby amends its “Investment Policy & Guidelines for the County of Lewis” in accordance with the changes made to Article XI.

Section 2. That the Clerk of the Board is hereby directed to incorporate the amended Investment Policy & Guidelines for Lewis County’s into 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 Burns, and adopted on the 7th day of December, 2021.

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INVESTMENT POLICY & GUIDELINES

FOR

Lewis County, NY

Amended
December 7, 2021

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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.

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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.

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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 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.

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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 reevaluation 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; 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;
6. General obligation bonds and notes of any state other than this state, provided that such bonds and notes receive the highest rating of at least one independent rating agency designated by the state comptroller.
7. Obligations of any corporation organized under the laws of any state in the United States maturing within two hundred seventy days, provided that such obligations receive the highest rating of two independent rating services designated by the state comptroller and that the issuer of such obligations has maintained such ratings on similar obligations during the preceding six months, provided, however, that the issuer of such obligations need not have received such rating during the prior six month period if such issuer has received the highest rating of two independent rating services designated by the state comptroller and is the successor or wholly-owned subsidiary of an issuer that has maintained such ratings on similar obligations during the preceding six month period or if the issuer is the product of a merger of two or more issuers, one of which has maintained such ratings on similar obligations during the preceding six month period, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one corporation.

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8. Bankers' acceptances maturing within two hundred seventy days which are eligible for purchase in the open market by federal reserve banks and which have been accepted by a bank or trust company which is organized under the laws of the United States or of any state thereof and which is a member of the federal reserve system and whose short-term obligations meet the criteria outlined in clause (7). Provided, however, that no more than two hundred fifty million dollars may be invested in such bankers' acceptances of any one bank or trust company; or
9. Obligations of, or instruments issued by or fully guaranteed as to principal and interest by, any agency or instrumentality of the United States acting pursuant to a grant of authority from the Congress of the United States, including but not limited to, any federal home loan bank or banks, the Tennessee valley authority, the federal national mortgage association, the federal home loan mortgage corporation and the United States postal service, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one agency.
10. No-load money market mutual funds registered under the Securities Act of 1933, as amended, and operated in accordance with Rule 2a-7 of the Investment Company Act of 1940, as amended, provided that such funds are limited to investments in obligations issued or guaranteed by the United States of America or in obligations of agencies or instrumentalities of the United States of America where the payment of principal and interest are guaranteed by the United States of America (including contracts for the sale and repurchase of any such obligations) and are rated in the highest rating category by at least one nationally recognized statistical rating organization, provided, however, that no more than two hundred fifty million dollars may be invested in such funds.

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

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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 depositories, 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 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

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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.

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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 valued at these percentages of “market value”:
(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.

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(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.
(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. 334 - 2021
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 2021 fiscal year.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

DECEMBER 7, 2021

**RESOLUTION NO. 335 - 2021
RESOLUTION TO TRANSFER & APPROPRIATE FUNDS
Capital Reserve**

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

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers take place in the Capital Reserve accounts from Fund Balance:

Transfer from:

A0 005990 Fund balance	\$1,200,000.00
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Transfer to:

A0990100 994000 To Capital DP	\$100,000.00
A0990100 992300 To Capital Building and Maint	\$1,000,000.00
A0990100 992500 To Capital Equipment	\$100,000.00

Section 2. In coordination with the transfer above and also to include a budgeted interfund transfer for 2021, the following budget appropriations take place to establish the funding in the following Capital Reserve projects:

Increase Revenue:

H0162000 350310 Local	\$1,686,889.20
Project HAE	\$100,000.00
Project HAC	\$1,000,000.00
Project HAD	\$100,000.00
Project HAR	\$486,889.20

Increase Expenditures:

H0162000 499900	\$1,686,889.20
Project HAE	\$100,000.00
Project HAC	\$1,000,000.00
Project HAD	\$100,000.00
Project HAR	\$486,889.20

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 336 - 2021
UPDATED DESIGNATION OF DEPOSITORIES**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

WHEREAS, Section 212 of the County Law, General Municipal Law Section 10, and the County's Investment Policy provide that the Board of Legislators shall designate one or more depositories for deposit of all monies received by the County Treasurer, and specify the maximum amount which may be kept on deposit in each depository; and

WHEREAS, the Treasurer seeks to have the Board of Legislators update the amounts on deposit in the designated depositories for County monies;

NOW, THEREFORE, BE IT RESOLVED as follows:

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

Community Bank N.A.	\$35,000,000.
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 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 Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 337 - 2021
RESOLUTION TO APPROPRIATE FUNDS FOR
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator, Andrea Moroughan, Chair of the Health & Human Service Committee.

NOA#PY-21-2

Section 1. That the following funds be appropriated for Program Year 2021 for the period July 1, 2021 through June 30, 2023 for the Adult and Dislocated Worker programs per the Notice of Obligational Authority (NOA), #PY21-2, dated August 11, 2021 through the New York State Department of Labor.

DECEMBER 7, 2021

Increase Revenue:

CD629300 347910 WIA \$ 100,879.46

Increase Expenditures:

DISLOCATED WORKER

CD629100 110100 Wages \$ 2,400.00
CD629100 801000 Retirement \$ 800.00
CD629100 499900 OJT/CRT Checkbook \$ 38,405.19
\$ 41,605.19

ADULT

CD629200 110100 Wages \$ 39,000.00
CD629200 490900 Contractual \$ 200.00
CD629200 801000 Retirement \$ 3,600.00
CD629200 803000 FICA \$ 2,000.00
CD629200 806000 Health Insurance \$ 7,846.00
CD629200 807000 Dental Insurance \$ 300.00
CD629200 499900 OJT/CRT Checkbook \$ 6,328.27
\$ 59,274.27

Section 2. That the within shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 7th day of December, 2021.

**RESOLUTION NO. 338 - 2021
RESOLUTION APPOINTING STUDENT REPRESENTATIVES
LEWIS COUNTY YOUTH BUREAU 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 appoints the following school student representatives to serve on the Lewis County Youth Bureau Advisory Board:

Gavin Tufo – Copenhagen Central School

Brett Vogt – Copenhagen Central School

Aaron Parow – Harrisville Central School

Hailey Meagher – Harrisville Central School

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of said appointments shall be effective December 8, 2021 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 Osborne , seconded by Legislator Burns , and adopted on the 7th day of December, 2021.

OTHER BUSINESS:

Legislator Hathway began his “roast” by stating “Jerry King, I don’t mean to be negative but”. He brought up his 1st meeting back in 2009 where they had a very spirited discussion on the Solid Waste facility in Croghan. After that discussion and a few more that followed he started a spreadsheet to keep track of who was more bullheaded, and it turns out Legislator King won. Legislator King responded that spirited discussion makes for good decisions. Legislator Hathway called Legislator King tenacious because he was able to convince Legislator Hathway on the Capital Projects this time around.

He went on to question whether Legislator King was researching the criteria so he would be ready to answer the Sheriff’s call to be the next SRO, citing his favoritism towards that program and the bonding between Legislator King and the Sheriff. Chairman Dolhof corrected Legislator Hathway stating it is the RSO position Legislator King can’t buy into. Legislator Hathway stated that he had black hair when he started but now has white hair after dealing with Legislator King for all these years. Legislator King responded that it has been a pleasure working with Legislator Hathway over the years and with everyone else. It has been good to challenge each other, and he always had respect for other points of view.

Ryan pointed out a few other “Jerryisms”: I don’t mean to be negative; on the same aspect; RSO; I’m not giving you a hard time, but; my fellow legislators; he doesn’t have a pot to piss in or a window to throw it out of; right, wrong or indifferent; and six of one or half a dozen of the other. Chairman Dolhof stated that he felt Legislator King was famous for always wanting to have a discussion and wanting to hear from his fellow legislators. If the decision wasn’t what he wanted then there would just be a second, third and fourth discussion. Legislator King stated that he was just wearing them down. County Attorney Joan McNichol stated that many times Legislator King would call her the day after a board meeting at 8:25 a.m. to discuss things, but she felt that maybe it was to see if she came to work on time.

Legislator Chartrand made a motion at 6:11 p.m. to enter attorney client privilege session regarding litigation matters, after a short 5-minute recess, seconded by Legislator Osborne and carried.

Legislator Hathway made a motion at 6:47 p.m. to enter regular session, seconded by Legislator Burns and carried.

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Legislator Burns made a motion to authorize engagement of Bond, Schoeneck & King Law Firm to assist the County with eminent domain legal proceedings pertaining to railroad acquisition, seconded by Legislator Chartrand and carried.

Legislator King made a motion to authorize an additional payment of \$1,500.00 to Ferrara Law Firm for legal fees of Katherine Gavitt on City of Rome appeal, seconded by Legislator Chartrand and carried.

There being no other business to come before the board Legislator Chartrand made a motion to adjourn at 6:49 p.m., seconded by Legislator Burns and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**FINAL DAY
ANNUAL SESSION
December 23, 2021**

The meeting was called to order at 10:00 a.m. by the Chairman of the Board, Lawrence Dolhof.

Roll Call: 8 Legislators were present, Legislators Kulzer and Legislator Hathway had been excused. There were 7 other persons in attendance.

Legislator Gilbert gave the invocation. Chairman Dolhof lead the Pledge of Allegiance to the Flag and then declared the December 7, 2021 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

Dated: December 23, 2021

Legislator Virkler made a motion to waive the rules, seconded by Legislator Burns and carried.

PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened the public hearing at 10:02 a.m. for comments on the Local Law Providing for Increases to Salaries for Certain Local Officials.

REPORTS OF COMMUNICATIONS AND NOTICES:

A resolution was received from Cattaraugus County Requesting New York State Legislature Establish Solar Panel Recycling Regulations. A resolution was received from Chemung County Opposing Governor Kathy Hochul's Abrupt, Secretive and Unsafe Prison Closures of Public Safety and Economic and Environmental Grounds.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received a report of an unsafe structure at 6324 Hemlock Road in the Town of Watson from Senior Code Officer Ward Dailey.

REPORTS OF STANDING COMMITTEES:

DECEMBER 23, 2021

Legislator King thanked past and present legislators for working together as a group to accomplish things.

Legislator King made a motion to authorize Solid Waste Director, Kip Turck to refill one (1) full-time Working Supervisor position and all associated backfills effective immediately due to retirement, seconded by Legislator Virkler and carried.

Legislator King concluded by stating that it looks like the Solid Waste project will be completed sometime in February 2022.

Legislator Moroughan made a motion to authorize Public Health Director, Ashley Waite to refill one (1) full-time Public Health Specialist effective immediately due to resignation, seconded by Legislator Burns and carried.

Legislator Moroughan asked Public Health Director, Ashley Waite to give a report on Covid-19. Ashley stated that there are 120 active cases, which is trending down over the last two weeks and looks to continue so far this week. There are home test kits widely available in the community. Public Health was supplied with roughly 2,000 home test kits for use in the schools which have been distributed. There have been several positive home tests reported to Public Health which are counted in the daily and weekly numbers. Currently there are nine people hospitalized, which is up from only five last week. The State should be sending additional home test but there is no timeline for that yet. There will be upcoming changes to guidelines of quarantine to try and keep kids in school. Public Health has been out visiting homebound individuals and local farms with booster vaccines. There are no large clinics scheduled over the next two weeks due to the holidays, however Public Health is taking appointments for 1st, 2nd, and booster doses.

Legislator Chartrand asked for confirmation because he had heard that another additional booster might be needed, Ashley responded that she had heard that but there is no concrete information out about it yet. Legislator Gilbert thanked the workers at the clinic in Lowville for doing such a wonderful job and the work that is being done on the test to stay for kids in schools.

COUNTY TREASURER REPORT:

County Treasurer, Eric Virkler commended Cassandra Moser, Amanda Lawton, Joan McNichol and Caitlyn Smith for their efforts to spread holiday cheer throughout the Courthouse with fun activities.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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COUNTY MANAGER REPORT:

County Manager, Ryan Piche reported that he had just gotten off a conference call with New York State on a few issues. There is discussion on the Governor's announcement of \$65 million going to counties for mask mandate enforcement. Lewis County would be eligible for \$1 million. The State will send out a one-page document that outlines the details, each county will submit their plan to help residents "comply with the mask mandate", once the plan is approved the county is then awarded the million dollars. The State has verbally stated that the following items can be part of the plan: education, supplies, signage, staff, and compliance line. Once more information is received the plan can be outlined which fits the culture and intention of Lewis County, more emphasis on education and supplies.

New York State has selected Lewis County as a high transmission area and insisted on taking over the Maple Ridge testing site. The County did not ask for this assistance and didn't really feel like the help was needed, as it was set up independently with County funding. They are in the stage of working out the details.

The State is distributing 35 million rapid test kits and N95 masks. Lewis County received their allotment of the masks yesterday. The test kits should arrive through the holidays. Half of the test kits will go to schools. Lewis County should be receiving roughly 20,000 test kits. The new guidance on the "Test to Stay" option should be out next week.

Legislator Gilbert felt strongly that the \$1 million for complying with the mask mandate needs to be discussed further. He felt that the funds shouldn't be used for enforcement of this state mandate but regardless of how we feel personally the funds should be used for things that line up with our culture and our community.

OTHER BUSINESS:

Chairman Dolhof had plaques of appreciation for Legislator King and Kulzer. He presented Legislator King with his plaque of appreciation thanking him for his years of service to his community. Several other legislators voiced their appreciation of Legislator King. Legislator King stated that he appreciated working with everyone.

Chairman Dolhof then announced a 10-minute recess at 10:25 a.m. The meeting was called back to order at 10:36 a.m. Chairman Dolhof again asked for any comments on the public hearing and with no one coming forward closed the public hearing at 10:37 a.m.

RESOLUTIONS:

**RESOLUTION NO. 339 - 2021
AUDITING AND ALLOWING CLAIMS**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

RESOLVED that the claims presented for payment in the total amount of \$ 869,559.65 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 Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021 by the following roll call vote:

AYES: Chartrand, Gilbert, Moroughan, Burns, Virkler, Osborne, King, Dolhof

NAYS:

ABSENT: Kulzer, Hathway

**RESOLUTION NO. 340 - 2021
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 1 – 2022, 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 7, 2021, directing that a public hearing be held by said Board on December 23, 2021, from 10:00 a.m. to 10:30 a.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled “A LOCAL LAW 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 15, 2021, 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, the public hearing was duly held at such location and 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. 6 – 2021), 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. 1–2022, County of Lewis.

DECEMBER 23, 2021

Section 2. That Local Law No. 1–2022, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Chartrand, seconded by Legislator Gilbert, and adopted on the 23rd day of December, 2021 pursuant to the following roll call vote:

AYES: Gilbert, Moroughan, Virkler, Osborne, King, Burns, Chartrand, Dolhof

NAYS:

ABSENT: Kulzer, Hathway

RESOLUTION NO. 341 - 2021
RESOLUTION AWARDING AND AUTHORIZING CONTRACT BETWEEN
LEWIS COUNTY AGRICULTURE SUSTAINABILITY COUNCIL AND CORT
CONSULTING GROUP, INC. UNDER THE COUNCIL’S “DAIRY RESILIENCY
PROJECT” AND INCREASING FUNDING

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

WHEREAS, pursuant to Resolution No. 210-2019, the Lewis County Board of Legislators established the Lewis County Agriculture Sustainability Council (“Council”), whose purpose is to develop and execute a Lewis County Agriculture Sustainability Action Plan, with a goal to alleviate the hurdles confronting Lewis County Farmers and Growers by creating a competitive agriculture and farming culture and cultivation of a robust and sustainable agribusiness for the farmers in Lewis County; and

WHEREAS, pursuant to Resolution No. 45-2021, the Board of Legislators authorized funding up to \$59,000.00 for Phase 1 of the Council’s project, including the hiring of external professional consultants to perform and deliver on the council’s stated objectives, including identification of market opportunities, processing/storage capabilities, development of business plans, recommendations for potential financial funding sources and structures; and

WHEREAS, the Council sent out a Request for Proposals (RFP), and received two (2) responses. The Council had both bidders present to members of the Council. After hearing the presentations and analyzing the submissions with scoring of criteria set forth in the RFP, the Council unanimously recommends and requests that the Board of Legislators authorize and award the bid to Cort Consulting Group, Inc., at a cost of \$67,500, whose experience and capabilities are greater and whose scope of work is more comprehensive in addressing the goals, scope and deliverables set forth in the RFP; and

WHEREAS, the Board of Legislators seeks to authorize an increase to the funding for Phase 1 from \$59,000.00 to \$67,500.00 and award the contract to Cort Consulting Group;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an increase of \$8,500.00 in funding Phase 1 of the Lewis County Agricultural Sustainability Council’s “Dairy Resiliency Project”, up to and not to exceed \$67,500.00 in order to hereby award the professional consulting bid to Cort Consulting Group, Inc., of 111 Rossmore Drive, Malvern, PA 19355.

Section 2. That the Lewis County Board of Legislators directs that the Lewis County Treasurer transfer an additional \$8,500.00, from special legislative contingency to the Planning Department’s 2021 community services line account in order to fully fund this contract award.

Section 3. That the Lewis County Board of Legislators authorizes and directs the Lewis County Attorney to assist the Council in review and/or draft the terms and provisions of the professional consulting contract to be entered between the parties.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such agreement together with the Chair/President of the Council, as may be approved by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 342 - 2021
RESOLUTION APPOINTING MEMBERS TO
ADIRONDACK NORTH COUNTRY ASSOCIATION**

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 Michelle Ledoux of Croghan, New York and Brittany Davis of Denmark, New York as members of the Adirondack North Country Association Board.

Section 2. That the 2-year term of said appointment shall be effective from January 1, 2022 through December 31, 2023.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

DECEMBER 23, 2021

**RESOLUTION NO. 343 - 2021
RESOLUTION TO APPROPRIATE FUNDS
VARIOUS CAPITAL RESERVE ACCOUNTS**

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation take place to the Capital Equipment account to transfer funds budgeted for 2022 in the general fund and appropriate these funds in the Capital HAC fund with transfer from A0990100 992300 (To Capital Buildings & Grounds):

Increase Revenue:	
H0162000 350310	\$500,000.00
Project HAC	

Increase Expenditure:	
H0990100 499900	\$500,000.00
Project HAC	

Section 2. That the following budget appropriation take place to the Capital Data Processing account to transfer funds budgeted for 2022 in the general fund and appropriate these funds in the Capital HAE fund with transfer from A0990100 994000 (To Capital Data Processing):

Increase Revenue:	
H0512000 350310	\$100,000.00
Project HAE	

Increase Expenditure:	
H0512000 499900	\$100,000.00
Project HAE	

Section 3. That the following budget appropriation take place to the Capital Equipment account to transfer funds budgeted for 2022 in the general fund and appropriate these funds in the Capital HAD fund with transfer from A0990100 992500 (To Capital Equipment):

Increase Revenue:	
H0990100 350310	\$250,000.00
Project HAD	

Increase Expense:	
H0990100 499900	\$250,000.00
Project HAD	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 344 - 2021
RESOLUTION TO APPOINT MEMBERS TO
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE OF
COMMUNITY SERVICES BOARD**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board Developmental Disabilities 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 Eliza Boliver of Beaver River Central School in Beaver Falls, New York, and Dixie Lehman of Lowville, New York, to the Developmental Disabilities Sub-Committee of the Lewis County Community Services Board.

Section 2. That the term of said appointments shall be effective January 1, 2022 through December 31, 2025.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 345 - 2021
RESOLUTION TO APPOINT MEMBER TO
MENTAL HEALTH SUB-COMMITTEE OF LEWIS COUNTY
COMMUNITY SERVICES BOARD**

Introduced by Legislator Andrea Moroughan, 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:

DECEMBER 23, 2021

Section 1. That the Board of Legislators hereby appoints Melanie Saber of Transitional Living Services in Lowville, New York, as a member of the Mental Health Sub-Committee of the Lewis County Community Services Board to fill the un-expired term of Melanie Bush.

Section 2. That the term of said appointment shall be effective January 1, 2022 through December 31, 2023.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 346 - 2021
RESOLUTION APPOINTING MEMBER TO
REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints John Jones of Beaver Falls, New York, as a member of the Region 6 Fish and Wildlife Management Board, as the Lewis County Sportsmen's Representative.

Section 2. That the term of said appointment shall be for the period from January 1, 2022 through December 31, 2023.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 347 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO HIGHWAY DEPARTMENT**

Introduced by Legislator Jerry King, Chair 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 Lewis County Highway Department, to create the following positions effective immediately:

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<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Sign Maintenance Worker/HEO (1)	Full-time	Grade 21 (\$19.54 - \$23.26)
MEO Medium (1)	Full-time	Grade 18 (\$18.16 - \$21.34)

Section 2. That the following positions are hereby abolished effective April 1, 2022 due to retirement:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Sign Maintenance Supervisor (1)	Full-time	Grade 23 (\$20.62 - \$24.76)
Sign Maintenance Worker/MEO (1)	Full-time	Grade 18 (\$18.16 - \$21.34)

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

Moved by Legislator Osborne , seconded by Legislator Virkler , and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 348 - 2021
RESOLUTION TO APPROPRIATE FUNDS
County Highway Department**

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

BE IT RESOLVED as follows:

Section 1. That the following 2022 budget transfer take place in the Highway Department Accounts for the lease payments on the Enterprise Vehicles, funds will be transferred from Project HAD Capital Equipment H0990100 499900:

<u>Increase Revenue:</u>	
DM513000 350310	\$140,000.00

<u>Increase Expenditure:</u>	
DM513000 223400	\$140,000.00

Section 2. That the following 2022 budget transfer take place in the Highway Department Accounts for the various annual lease payments, funds will be transferred from Project HAD Capital Equipment H0990100 499900:

<u>Increase Revenue:</u>	
DM513000 350310	\$260,000.00

<u>Increase Expenditure:</u>	
DM513000 223300	\$260,000.00

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 349 - 2021
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 and connectivity is then provided from the Courthouse to Lowville Commons, the JCC Ed Center, with service to the Highway Garage, and service to the County's 911 tower and equipment shelter on the Number Three Road; and

WHEREAS, by Resolution Nos. 286 – 2020 and 39-2021, Board of Legislators authorized upgrades in connectivity and speeds between the PSB to the Courthouse, to the JCC Education Center building, to PSB & DSS, and at the Highway Garage which increased the monthly cost of service to \$1,250.00; and

WHEREAS, the Information Technology Director is in the process of overhauling network connectivity for existing County locations while also providing direct connectivity in locations that did not have it before. By doing so, the County will standardize connection types and speeds, incorporate all locations to direct connectivity, build resiliency, stability and growth, and have our connections in line with the new switching infrastructure; and

WHEREAS, these proposed changes will increase the monthly cost from \$1,250.00 to \$1,850.00, but will include connection locations for Solid Waste, IDA & Chamber, DSS, and 911 tower back up, previously not included and/or not billed through the County. The intention is for the County IT Department to have this coordinated, simplified billing and management of fiber and copper connectivity locations from DANC, with the County to then bill the appropriate entities for their monthly share of the fees as set forth on the following location and cost schedule:

Board of Elections 7551 S State St	2101A-Copper1 Gbps 2101B-Fiber 10Gbps	\$50 \$150	Total \$200 -No change in fee
IDA & Chamber 7550 S State St	2102A-Copper 1Gbps	\$50 \$175	Total \$225- IT will bill agencies monthly

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	2102B-Fiber 10Gbps		
PSB 5252 Outer Stowe St	2103A-Copper 1Gbps 2103B-Fiber 10 Gbps	\$50 \$325	Total \$ 375 – no change in fee
Solid Waste 7652 St Rte 26	2104A-Copper 1Gbps 2104B- fiber 10 Gbps	\$50 \$50	Total \$ 100 - New Charge
Hgwy Garage 7362 East Rd	2105A-Copper 1Gbps 2105B- Fiber 10 Gbps	\$50 \$175	Total \$ 225 – no change in fee
JCC Ed Center 7395 East Rd	2106A- copper 1Gbps 2106B- Fiber 10 Gbps	\$50 \$300	Total \$350 – no change – Cty bills JCC
DSS 5274 Outer Stowe St	2107A-Copper 1Gbps 2107B-Fiber 10Gbps	\$50 \$50	Total \$100 – New Charge
911Radio Tower Backup 7830 # 3 Rd	2108A Copper 1Gbps Upgrade from \$100	\$250	Total \$250 – Increase of \$150

WHEREAS, the Board of Legislators wishes to authorize an amendment to the continuing service agreement to provide for these upgrades and increased monthly payments, and authorize an MOU with the IDA and Chamber of Commerce for monthly reimbursement of the service fee charged by DANC at those locations;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes an amendment/ change orders 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 services at the locations and in the amounts as outlined above for a total monthly increase in cost of \$575.00, effective upon execution of the service change orders acknowledgement forms, deemed as an amendment to the Agreement. The total monthly charges by DANC for fiber optic network services is thereby increased from \$1,250/mo. to \$1,875/mo.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such change order forms any MOUs required for reimbursement of monthly service fees provided to agencies associated with the County, pending approval by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

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**RESOLUTION NO. 350 - 2021
RESOLUTION AUTHORIZING A THREE YEAR AGREEMENT WITH PORT 53
TECHNOLOGIES TO PROVIDE CISCO DUO MULTI-FACTOR AUTHENTICATION
SOFTWARE AND SUPPORT SERVICES FOR THE COUNTY'S
OFFICE 365 AND EMAIL SYSTEM**

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

WHEREAS, the Information Technology Director obtained quotes from providers of a 2-factor authentication software product in order to improve cyber security for the County's email and internet-dependent systems. Cisco Cap has an Office of General Services (OGS) contract upon which the County can rely in securing a quote for such products; and

WHEREAS, Port 53 Technologies, One Embarcadero Center #4150, San Francisco, CA 94111 is a third-party seller/distributor of the Cisco Duo Multi-Factor Authentication (MFA) product the County seeks to secure, at a cost of \$23,760.00, for a three-year contract for this product and support services, payable in annual amounts of \$7,920.00/yr; and

WHEREAS, the Board of Legislators wishes to authorize such agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes an agreement with Port 53 Technologies, of San Francisco, CA, to provide the Cisco Duo MFA edition software and support services for a three-year term at a cost of \$23,760.00, payable in annual installments of \$7,920.00.

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 Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 351 - 2021
RESOLUTION APPOINTING MEMBER TO
JUNKYARD REVIEW 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 John Szijarto of Lowville, New York as a member of the Lewis County Junkyard Review Board.

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Section 2. That the 5-year term of said appointment shall be effective from January 1, 2022 through December 31, 2026.

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

Moved by Legislator Osborne , seconded by Legislator Virkler , and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 352 - 2021
RESOLUTION AUTHORIZING A CONSULTANT AGREEMENT
BETWEEN OFFICE FOR THE AGING AND
MARY LOU PLANTE, REGISTERED DIETICIAN**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Office for the Aging (“OFA”) Nutrition Program seeks to comply with NYSOFA nutrition program standards. OFA currently contracts with a Certified Nutrition Specialist (“CNS”) who is not licensed with New York State, and who provides CNS services approximately twelve (12) hours a week or forty-eight (48) hours a month; and

WHEREAS, OFA desires to have Mary Lou Plante, a Registered Dietician (“RD”) provide oversight of the work provided by the CNS, and thereby bring OFA in compliance with the nutrition standards while ensuring smooth program operation. The CNS will continue to provide services 10-12 hours a week or 48 hours a month, in preparing menu plans, develop nutrition information and education programs, and in providing nutrition counseling; and

WHEREAS, the OFA Nutrition Program has 150 to 175 clients on service in the six (6) community dining sites. Participation at these sites has decreased 50% since reopening during the summer of 2021. In 2021, thirty-eight (38) nutrition counseling clients were served (with 164 units of service). The CNS spent an average of 16.4 hours a month and 3.65 hours per week on this service. OFA serves a small, rural county and the needs to the Nutrition Program cannot be compared to larger service areas of other Area Agency on Aging (AAAs);

WHEREAS, the RD will provide the following services: Complete menu review and certification; Review and approve nutrition information, education programs and materials; Oversee work completed by the CNS; Provide service to OFA Nutrition Program if CNS is not available; Work on special projects or initiatives upon request; and Provide any necessary consultation to the CNS and OFA Meals Program Coordinator regarding nutrition counseling; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators hereby authorizes a Consultant Agreement between the County of Lewis, by and through the Lewis County Office for the Aging, with Mary Lou Plante, Registered Dietician, to provide oversight of the work completed by the CNS and bring OFA in compliance with the nutrition standards while ensuring smooth program operation in the Lewis County Office for the Aging's Nutrition Program.

Section 2. That the term of the Agreement shall be from January 1, 2022 through December 31, 2022, at an hourly rate of \$46.00 per hour for ten (10) to twenty (20) hours of RD services per month, or as needed and agreed upon by the Director of Office for the Aging.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such from 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 Virkler, and adopted on the 23rd day of December, 2021.

RESOLUTION NO. 353 - 2021
RESOLUTION AUTHORIZING LEASE AGREEMENT
BETWEEN LEWIS COUNTY GENERAL HOSPITAL
AND LEWIS COUNTY PUBLIC HEALTH AGENCY

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, Lewis County Public Health Agency ("PH/Tenant") desires to enter into an Addendum to the existing Lease Agreement with Lewis County General Hospital ("Hospital/Landlord") or a new lease agreement to incorporate an increase in the monthly rental for the offices on two (2) floors in which PH currently operates, from \$7,611/mo to \$8,106.92/mo. This increased amount does not include the monthly cost of telephone service provided through the Hospital's system, which will continue at the rate of \$400.00/month; and

WHEREAS, PH also seeks to lease an additional space from the hospital in the Medical Arts Building, at a cost of \$1,404.00 per month for a period of six (6) months with the right to extend the period; and

WHEREAS, the Lewis County Board of Legislators wishes to enter into a new lease agreement with the Hospital which incorporates the increased monthly rent for the existing space together with a provision for the short-term rental of additional space in the Medical Arts Building.

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. The Lewis County Board of Legislators hereby approves a new lease agreement by and between the Lewis County General Hospital and the Lewis County Public Health Agency which provides for: 1) continued rental of two floors of office space and use of common spaces identified in various areas of the Children's Clinic Building located at 7785 North State Street, Lowville, New York 13367 for a term commencing on January 1, 2022 through December 31, 2022, with right to annual renewal, at a monthly rental fee of \$8,106.92, plus \$400.00 per month for telephone service; and 2) lease of office space (4 offices) in the Medical Arts Building on the hospital campus, at a monthly rate of \$1,404.00, for a term commencing on January 1, 2022 through June 30, 2022, with the right to extend upon mutual agreement.

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

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 354 - 2021
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
SIEMENS INDUSTRIES, INC.
FOR HVAC EQUIPMENT MAINTENANCE SERVICES AT THE 911 TOWERS**

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

WHEREAS, Siemens Industry, Inc., Building Technologies Division offers fire safety, security, building automation, heating, ventilation and air conditioning (HVAC) as well as energy management products and services; and

WHEREAS, the HVAC equipment systems for the 911 towers in Lewis County are Siemens products. The County of Lewis wishes to enter into an Agreement with Siemens Industry, Inc. to provide maintenance and inspection services associated with the HVAC equipment at the 911 tower locations for a five year period; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with Siemens Industry, Inc. to provide maintenance and inspection services associated with the HVAC equipment at the 911 towers in Lewis County.

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Section 2. That the term of the agreement shall be for a period of five (5) years commencing January 1, 2022 through December 31, 2026 at a cost not to exceed the following annual amounts: 2022 - \$10,086.00; 2023 - \$10,288.00; 2024 - \$10,495.00; 2025 - \$10,705.00; and 2026 - \$10,920.00.

Section 3. That the payments for said services shall be paid from the FY 20 SICG Radio grant.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, and any amendments thereto, pending approval by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 355 - 2021
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;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County 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">• \$4,100 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

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Black Creek Integrated Systems, Corp.	Computer Software Support for the Sally-Port Inmate Management System	\$18,363.00 per year
TLS	Counseling Services for Inmates at Jail	\$150.00 per hour

Section 2. That the term of said renewal Agreements are for the period from January 1, 2022 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 Agreement, 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 Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 356 - 2021
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES AND
WITH COMMUNITY ACTION PLANNING COUNCIL
OF JEFFERSON COUNTY, INC. TO REGISTER CHILD CARE PROVIDERS**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Commissioner of Social Services of Lewis County is an authorized Social Services official responsible and designated by the New York State Office of Children and Family Services (OCFS), to receive and administer funding of \$33,600.00 from OCFS, to register and inspect family day care and school aged child care providers in Lewis County in 2022, or to contract with an appropriate and qualified entity to perform said services; and

WHEREAS, the Community Action Planning Council of Jefferson County, Inc. (“CAPC”) is qualified by its present established base in the community to fulfill the required responsibilities of the Local Commissioner in fulfilling the obligation to inspect and register daycare providers. The Commissioner of Lewis County Department of Social Services (“LCDSS”) desires to enter into an Agreement with CAPC to provide such services; and

WHEREAS, the Board of Legislators wishes to authorize said agreements;

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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:

- A. New York State Office of Children and Family Services for the purpose of providing federal funding to the Lewis County Department of Social Services in the amount of \$33,600.00 (payable in quarterly installments of 8,400.00), to fulfill the requirements of an acceptable level of compliance and performance as specified by the Division of Child Care Services for registration and inspection of child care providers.
and
- B. Community Action Planning Council of Jefferson County, Inc. to conduct registration and inspection of family day care and school aged child care providers in Lewis County, at an annual cost not to exceed \$31,920.00 from the OCFS funding provided, payable in quarterly installments of \$7,980.00 upon receipt of a completed Quarterly Registration Review Report from the DCCS Regional Office.

Section 2. That the term of these Agreements shall be from January 1, 2022 through December 31, 2022. The cost of these services are 100% federally funded.

Section 3. That the Lewis County Commissioner of Social Services is hereby authorized to make, execute, seal and deliver the New York State Office of Children and Family Services agreement and any extensions or modifications thereto, pending review and approval by the County Attorney.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver the Community Action Planning Council of Jefferson County, Inc. Agreement, and any extensions or modifications thereto provided the amount remains the same, pending approval by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

RESOLUTION NO. 357 - 2021
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

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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 Lewis County Board of Legislators hereby approves the Agreements by and between the Department of Social Services and the Law Department 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, 2022 through December 31, 2022. 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 \$168,111.00; child

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support enforcement legal representation services shall not exceed the amount of \$89,461.00; and the purchase of services for collection and recoveries shall not exceed the amount of \$78,031.00.

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, and any amendments thereto.

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

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

RESOLUTION NO. 358 - 2021
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN LEWIS COUNTY
DEPARTMENT OF SOCIAL SERVICES AND
VICTIMS ASSISTANCE CENTER OF JEFFERSON COUNTY, AND BETWEEN
LCDSS AND LEWIS COUNTY OPPORTUNITIES, INC.
UNDER NY SAFE HARBOUR PROJECT

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

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 state funds to provide appropriate services under the program. 2022 will be year three (3) of Safe Harbour funding from NYSOCF with LCDSS to administrate; and

WHEREAS, both Victims Assistance Center of Jefferson County, Inc. (“VAC”) and Lewis County Opportunities, Inc. (“LCOI”) are well, established not-for-profit agencies licensed or otherwise authorized by the New York State Department of Social Services to provide domestic violence services. They both have a long-standing history of working with victims of abuse, including trafficked and sexually exploited children and youth in Lewis County and have the ability to provide the services under the Safe Harbour Project; and

WHEREAS, the County of Lewis, by and through the Lewis County Department of Social Services, desires to enter into an agreement with VAC for a Safe Harbour Coordinator to facilitate a critical project team for Lewis County, at a cost of \$12,000.00. The Coordinator will provide guidance and oversight in developing and implementing goals and objectives, develop

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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 County of Lewis, by and through the Lewis County Department of Social Services desires to enter into an agreement with LCOI to provide intensive case planning to meet the needs of sexually exploited youth related to child trafficking and exploitation in Lewis County; to provide safe long and short term housing, including the use of respite when appropriate; to provide guidance and oversight to programs that respond to trafficked and exploited youth; to promote community awareness on exploited and trafficked children, all as outlined in the Safe Harbour: NY Project, at a cost of \$31,350.00; and

WHEREAS, the Board of Legislators wishes to enter into these Agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes separate Agreements between the County of Lewis, by and through the Lewis County Department of Social Services and 1) Victims Assistance Center of Jefferson County; and 2) Lewis County Opportunities, Inc. to provide the described identified support and outreach services by each under the Safe Harbor: NY Project program.

Section 2. That these agreements are for the period beginning January 1, 2022 and ending December 31, 2022. The funds are provided by New York State Office of Children and Family Services to Lewis County Department of Social Services under the Safe Harbor: NY Project. The agreements shall provide for LCDSS to compensate Victims Assistance Center of Jefferson County the sum of \$12,000.00 for a Safe Harbour Coordinator, and the sum of \$31,350.00 to Lewis County Opportunities, Inc. for the services outlined in the Safe Harbour budget from NYSOCFS.

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 Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 359 - 2021
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

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WHEREAS, the resignation of two full-time Senior Account Clerks has created a need for additional support in the fiscal unit due to recruitment difficulty for those positions; and

WHEREAS, the previous Fiscal Manager is available to continue employment to assist with the workload and training of replacement staff;

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 temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Fiscal Manager	Temporary full-time	\$57,382 - \$60,413

Section 2. That Commissioner Jennifer Jones is hereby authorized to fill said position through January 31, 2022.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 360 -2021
RESOLUTION AUTHORIZING CATEGORIES OF INITIATIVES/PROGRAMS
UNDER STIMULUS/ARPA FUNDS FOR LEWIS COUNTY**

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

WHEREAS, the County of Lewis received \$5,150,000.00 in stimulus funds from the Federal Government under the American Rescue Plan Act (ARPA) in order to address pandemic recovery in local communities. The funds can be used to invest in various county-wide infrastructure and community-minded projects and programs as approved under ARPA; and

WHEREAS, the County Manager proposed broad categories and maximum amounts for the County's investment of these funds, to wit:

Broadband	\$1,500,000.00
Recreation	1,500,000.00
Placemaking/Property Clean up	1,000,000.00
Workforce & Talent Attraction	500,000.00
Façade Program	450,000.00
Childcare Development	<u>200,000.00</u>
	\$5,150,000.00
<i>Housing Incentive</i>	<i>\$300,000.00 (Optional); and</i>

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WHEREAS, the Lewis County Board of Legislators previously authorized the Façade Program - \$450,000.00 and Childcare Development Program - \$200,000.00 upon presentation of specific programs developed. Additional amounts under broadband and placemaking/clean-up have been authorized (\$100,000.00 to DANC for administrative services under broadband expansion; \$368,563.00 to Spectrum for WiFi Access points in town and village hamlets for broadband expansion; \$65,763.00 as the 20% matching local share under the NBRC grant for broadband expansion; and up to \$220,000.00 as an outlay of funds necessary for site clean-up and contamination removal at the Brick Block Building), but the overall stimulus fund categories and maximum amounts in each, as proposed above have not been formally addressed; and

WHEREAS, as a matter of financial clarification and efficiency, it is recommended that the Board of Legislators consider and authorize the above stimulus fund general categories and maximum amounts, subject to the Board's continuing authorization of particular programs and funding amounts, and its right to amend any categories and amounts which have not previously approved and appropriated;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the above outline of categories and maximum funding amounts for the \$5,150,000.00 of stimulus funds received under the ARPA program, subject to the Board's continuing authority to adjust the categories and/or amounts as programs and needs may change or develop.

Section 2. That the Lewis County Board of Legislators directs the Treasurer to designate the above categories under the Capital Reserve Account HAZ – American Rescue Plan Act funding.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 361 – 2021
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

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WHEREAS, the Director of Real Property Tax Service Agency has requested approval for said procedure for 2022.

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 2022.

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 Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 362 – 2021
RELEVYING UNPAID SCHOOL TAXES AND
VILLAGE TAXES ON ASSESSMENT ROLLS**

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

WHEREAS, the various school districts and villages within the County of Lewis have made their return of unpaid school taxes and village taxes to the County Treasurer as required by law.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Treasurer is hereby authorized to re-levy such returned school taxes and village taxes on the individual parcels as listed on the school returns and the village return to the corresponding parcels listed on the 2021 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 Virkler, and adopted on 23rd day of December, 2021.

**RESOLUTION NO. 363 - 2021
LEVYING TAXES AND ASSESSMENTS FOR
ANNUAL TOWN BUDGETS AND
CORRECTIONS TO TAX ROLLS**

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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, 2022.

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	\$683,601.00	\$641,261.42
Denmark	639,172.00	306,884.00
Diana	662,590.00	
Greig	740,531.00	
Harrisburg	137,280.89	
Lewis	609,913.00	
Leyden	328,039.00	143,528.00
Lowville	672,852.00	212,584.00
Lyonsdale	367,428.00	188,598.00
Martinsburg	364,743.00	
Montague	200,040.00	
New Bremen	688,244.00	368,232.00
Osceola	358,494.00	
Pinckney	382,308.00	
Turin	479,722.00	108,427.00
Watson	1,104,217.00	
West Turin	483,949.00	174,854.00

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		\$151,265.00
Beaver Falls Fire District		60,205.63
Beaver Falls Light District		6,000.00
Relevied Water and Sewer		51,716.43
Denmark:		
Castorland Fire Protection District		66,300.00
W Carthage Fire		24,300.00
Copenhagen Fire		40,000.00
Relevied Sewer		646.96

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Diana:	
Fire Protection District	138,622.00
Natural Bridge Fire District	3,252.00
Natural Bridge Light District	225.00
Diana Water	13,231.53
Diana Light	18,000.00
Greig:	
Fire Protection District – 3G	79,114.00
Brantingham Water Control	1,800.00
Harrisburg:	
Fire Protection District	27,124.13
Lewis:	
Fire Protection District	42,254.00
Leyden:	
Fire Protection District & Ambulance	29,775.00
Lowville:	
Fire Protection	38,893.00
Water/Sewer Relevy	60,749.80
Agriculture Conversion Penalty	2,693.79
Lyonsdale:	
Lyons Falls & Port Leyden Fire Protection Districts	38,655.00
Lyonsdale Light	1,050.00
Martinsburg:	
Fire Protection District	111,204.00
Glenfield Light District	5,800.00
Martinsburg Light District	4,800.00
Martinsburg Water	4,222.12
Water/Sewer Relevies	19,359.74
Montague:	
Fire Protection	9,300.00
New Bremen:	
New Bremen Fire District	78,000.00
Beaver Falls Fire District	45,294.37

PROCEEDINGS OF THE BOARD OF LEGISLATORS

New Bremen Fire Protection District	17,088.00
Lighting District	10,799.36
Water Relevy	4,079.86
Osceola:	
Fire Protection District	45,500.00
Library	7,500.00
Pinckney:	
Fire Protection District & Ambulance	15,000.00
Turin:	
Fire Protection	42,951.00
Watson:	
Fire Protection	52,675.00
Watson Light	3,299.94
Water District	19,453.80
West Turin:	
Turin Fire Protection	17,054.00
Constableville Fire Protection	41,819.00

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	\$ 644.30
Denmark	\$1,564.18
Diana	\$ 99.21
Greig	\$ 506.43
Harrisburg	\$ 0.39
Lewis	\$ 258.77
Leyden	\$ 313.51
Lowville	\$ 551.13
Lyonsdale	\$ 208.35
Martinsburg	\$ 111.04
Montague	(\$.20)
New Bremen	\$ 319.73
Osceola	\$ 338.43
Pinckney	(\$ 0.04)
Turin	(\$ 0.08)
Watson	\$ 753.42
West Turin	\$ 112.90

DECEMBER 23, 2021

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 Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 364 - 2021
RESOLUTION AUTHORIZING THE SUPERVISOR
OF EACH TOWN IN THE COUNTY OF LEWIS TO ADD
TO THEIR TAX WARRANT THE 2022 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 2022 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 Virkler, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 365 - 2021
RESOLUTION TO SCHEDULE
2022 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 2022 Organizational Meeting to be held on Tuesday, January 4, 2022 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 366 - 2021
RESOLUTION APPOINTING MEMBER TO
COMMUNITY SERVICES BOARD**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board 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 Melanie Saber of Transitional Living Services in Lowville, New York, as a member of the Lewis County Community Services Board to fill the un-expired term of Melanie Bush.

Section 2. That the term of said appointment shall be effective January 1, 2022 through December 31, 2023.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 367 - 2021
RESOLUTION TO SET PUBLIC HEARING FOR PUBLIC INPUT WITH REFERENCE
TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING**

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

WHEREAS, the County of Lewis is eligible to apply for 2022 New York State Community Development Block Grant Program (NYS CDBG) funding administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR); and

WHEREAS, the County of Lewis is eligible to apply for 2020 New York State Community Development Block Grant Program (NYS CDBG) for CARES ACT funding administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR); and

WHEREAS, the Board of Legislators wishes to obtain the views of citizens on community development, public infrastructure, housing, and economic development needs of residents, and possible other activities, prior to the preparation of a CDBG application; and

DECEMBER 23, 2021

WHEREAS, the citizen participation requirements of the programs mandate the County to conduct public hearing prior to submission of an application for the purpose of obtaining citizens' views with the ability to respond to proposals and questions; and

WHEREAS, the public meeting must be held prior to submission of an application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of Lewis County authorizes a public hearing to be held and set for January 4, 2022 at 5:00 p.m. at the Lewis County Courthouse Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to solicit the views of County of Lewis citizens regarding CDBG funding for community development, public infrastructure, housing, and economic development needs under program year 2022 NYS CDBG funding and program year 2020 CDBG-CV funding applications, in amounts not to exceed \$1,000,000.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least seven (7) days prior to the hearing date.

Section 3. That within resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator King, and adopted on the 23rd day of December, 2021.

RESOLUTION NO. 368 - 2021
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

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 2022; 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 2022 matching funds as well as the State's committed funds; and the Board seeks to

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Lewis County Board of Legislators hereby commits to appropriate \$40,000.00 in matching local funds toward the 2022 “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 2022 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 2022 “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, 2022 through December 31, 2022.

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 Virkler, seconded by Legislator Moroughan, and adopted on the 23rd day of December, 2021.

**RESOLUTION NO. 369 – 2021
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LABORATORY CORPORATION OF AMERICA HOLDINGS**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, Laboratory Corporation of America Holdings (“Agency”) provides paternity testing services which supply information about the identity of a person and that person’s markers as the parent of another human being; and

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with this Agency to utilize their paternity testing services; and

DECEMBER 23, 2021

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Laboratory Corporation of America Holdings for the provision of paternity testing services in the Support Unit, at a cost of \$50.00 per sample, at an estimated annual cost of \$10,000. The local share cost, if any, will be incurred depending upon test results. If the test results are positive, the identified parent pays the fee.

Section 2. That the term of this agreement shall be from January 1, 2022 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 Agreement, pending approval by the County Attorney.

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

Moved by Legislator Moroughan, seconded by Legislator Virkler, and adopted on the 23rd day of December, 2021.

OTHER BUSINESS (continued):

There being no other business to come before the board, Legislator Chartrand made a motion to adjourn at 10:40 a.m., seconded by Legislator Osborne and carried.

CERTIFICATION

STATE OF NEW YORK

SS:

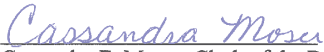
COUNTY OF LEWIS

We, Lawrence L. Dolhof, Chairman of the Lewis County Board of Legislators and Cassandra E. Moser, Clerk of the Board of Legislators of Lewis County, pursuant to the provisions of the statute, DO HEREBY CERTIFY that the foregoing was printed by authority of said Board of Legislators and does contain a true record of the proceedings of the Lewis County Board of Legislators, and the whole thereof, for the year of 2021.

Dated at Lowville, New York on December 31, 2021



Lawrence L. Dolhof, Chairman




Cassandra E. Moser, Clerk of the Board

ANNUAL CASH REPORT

Lewis County									
2021 Year End Cash Balances Report									
FUND	BEG BALANCE	RECEIPTS	DISBURSEMENTS	Cash Accounts 12/31/2021 BALANCE	INVESTMENTS	TOTAL 12/31/2021	TOTAL 12/31/2020	\$ Change	
GENERAL FUND									
General	4,453,479.88	66,788,618.84	70,569,519.06	672,579.66					
DSS	663,601.19	10,128,528.26	10,630,461.99	161,667.46					
Merchant Acct	0.00	60.00	60.00	0.00					
Pub Health Merchant	0.00	120.00	120.00	0.00					
Total General Fund	5,117,081.07	76,917,327.10	81,200,161.05	834,247.12	25,496,987.48	26,331,234.60	22,340,898.00	3,990,337	
OTHER FUNDS									
ATV Trail Fund	68,021.65	230,347.54	147,039.60	151,329.59		151,329.59	68,022.00	83,308	
Hospital	2,710,581.32	84,680,403.42	84,385,196.61	3,005,788.13	21,871,779.18	24,877,567.31	31,053,124.00	(6,175,557)	
WIA	8,067.62	127,493.05	127,138.99	8,421.68		8,421.68	8,068.00	354	
County Road	537,824.23	10,207,959.62	10,058,912.25	686,871.60	179,937.56	866,809.16	717,032.00	149,777	
County Machinery	287,788.74	1,550,211.13	1,196,389.79	641,610.08	114,005.99	755,616.07	401,332.00	354,284	
Health Insurance Fund	5,553,125.92	16,406,889.42	18,693,101.37	3,266,913.97	2,401,198.05	5,668,112.02	7,944,581.00	(2,276,469)	
Self Insurance	1,403,000.42	1,590,145.56	1,057,701.89	1,935,444.09	989,271.62	2,924,715.71	2,388,258.00	536,458	
Solid Waste	538,772.62	4,070,631.07	4,127,198.52	482,205.17	128,169.35	610,374.52	666,647.00	(56,272)	
Trust Funds	262,248.49	17,600,686.39	17,260,006.78	602,928.10		602,928.10	263,795.00	339,133	
Payroll (County)	0.00	14,452,361.66	14,452,361.66	0.00					
Payroll (Hospital)	0.00	21,532,212.63	21,532,212.63	0.00					
CAPITAL	1,175,128.94	7,919,923.18	3,953,611.15	5,141,440.97	3,323,093.14	8,464,534.11	2,131,794.00	6,332,740	
DRAFT									
Unaudited Balances				\$ 16,757,200.50	\$ 54,504,442.37	\$ 71,261,642.87	\$ 67,983,551.00	\$ 3,278,091.87	

PROCEEDING OF THE BOARD OF LEGISLATORS

Lewis County				
2021 Year End Cash Balances Report				
Capital Funds Detail				Cash Accounts
				12/31/2021
				BALANCE
Bridges	BEG BALANCE	RECEIPTS	DISBURSEMENTS	BALANCE
MR-HAU	0.00	34,000.00	0.00	34,000.00
BRB-HAF	0.00	0.00	0.00	0.00
WB-HAT	0.00	31,600.00	0.00	31,600.00
JFB-HAK	169,431.41	0.00	169,431.41	0.00
BSB-HAM	0.00	0.00	0.00	0.00
SRB-HAO	0.00	313,056.23	297,822.44	15,233.79
WCB-HAP	0.00	295,828.82	287,528.82	8,300.00
MCB-HAQ	4,579.30	84,241.87	88,821.17	0.00
Totals	174,010.71	758,726.92	843,603.84	89,133.79
Capital Reserves				
HAZ	0.00	2,556,520.37	156,886.80	2,399,633.57
GBM-HAC	0.00	529,397.00	351,014.70	178,382.30
CE-HAD	402,530.19	558,788.52	457,720.16	503,598.55
DP-HAE	36,117.52	193,945.63	138,000.00	92,063.15
DRR-HAG	27,297.21	172,544.74	199,841.95	(0.00)
STRIPING-HAI	0.69	75,000.00	69,894.00	5,106.69
CAP Clean Up-HAL	69,390.25	0.00	19,223.50	50,166.75
E911-HHM	55,754.43	0.00	0.00	0.00
2022 Building - HAR	410,027.94	1,175,000.00	544,176.00	1,040,851.94
Solid Waste - HAS	0.00	1,900,000.00	1,173,250.20	726,749.80
Capital Totals	1,175,128.94	7,919,923.18	3,953,611.15	5,141,440.97
DRAFT				
Unaudited Balances				
Report Information				
The above cash report was made to report the Cash Flow of funds through the Lewis County Treasurer's Office.				
This report shall not be considered as a report of actual operating revenues or expenses.				
Completed and Certified by Lewis County Treasurer:				
				
Date:				1/31/2022

TOWN TAX WARRANTS

**TAX WARRANT
TOWN OF DIANA**

SPECIAL DISTRICT TAX KEY	<u>General Tax Key-Town Wide</u>	3.577082
Diana Fire Protection 0.728184	<u>General Tax Key-Outside Town</u>	
Natural Bridge Fire District 1.657323	<u>Highway Tax Key</u>	
Natural Bridge Light District 0.440399	<u>County Tax Key Cty</u>	1.642889
Diana Light 0.871724	<u>County Tax Key NY</u>	5.900216
<u>Equilization Rate 100</u>		

STATE OF NEW YORK)

County of Lewis } ss:

To : Janet Taylor

Collector of the Town of DIANA

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$	<u>662,590.00</u>	\$	662,590.00
Town Outside Tax Levy General	\$	<u> </u>	\$	0.00
Highway Money-Outside Village Item 1	\$	<u> </u>		
(Donovan Plan)Outside Village Item 1A	\$	<u> </u>	\$	0.00

Special District Tax:

Diana Fire Protection	138,622.00
Natural Bridge Fire District	3,252.00
Natural Bridge Light District	225.00
Diana Water	13,231.53
Diana Light	18,000.00

TOTAL TO SUPERVISOR \$ 835,920.53

TO THE COUNTY TREASURER:

County Tax	\$	<u>1,313,742.00</u>	\$	<u>1,313,742.00</u>
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Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>158,303.39</u>		
Returned Village Tax	\$	<u>0.00</u>		
Amount Spread on Town	\$	<u>99.21</u>		
			\$	<u>158,402.60</u>

TOTAL TO COUNTY TREASURER \$ 1,472,144.60

WHOLE AMOUNT OF WARRANT \$ 2,308,065.13

LESS: Balance Due Town	\$	<u> </u>	\$	<u>0.00</u>
Amount Paid County Treasurer	\$	<u>0.00</u>	\$	<u>0.00</u>

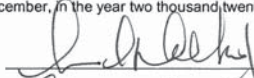
NET AMOUNT OF WARRANT \$ 2,308,065.13

Excess/Deficit \$ (0.31)
\$ 2,308,064.82

AMOUNT OF TAX LIST(Final Recapitulation)

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 23rd day of December, in the year two thousand, twenty one.

 Chairman
Cassandra Moser Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF MARTINSBURG**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.815093
Martinsburg Fire Protection	0.542579	General Tax Key-Outside Town	
Glenfield Light District	0.604520	Highway Tax Key	
		County Tax Key Cty	1.757356
Martinsburg Light District	0.774036	County Tax Key NY	6.311312
Equalization Rate 93.50			

STATE OF NEW YORK)
 }
 ss:
 County of Lewis }

To : Deanna Doviak

Collector of the Town MARTINSBURG

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ <u>364,743.00</u>	\$ 364,743.00
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1	\$ _____	
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

Special District Tax:

Martinsburg Fire Protection	111,204.00
Glenfield Light District	5,800.00
Martinsburg Fire District	
Martinsburg Light District	4,800.00
Glenfield Water and Glenfield Sewer	19,359.74
Martinsburg Water	4,222.12

TOTAL TO SUPERVISOR \$ 510,128.86

TO THE COUNTY TREASURER:

County Tax	\$ <u>749,204.00</u>	\$ <u>749,204.00</u>
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Taxes to be Re-Assessed, viz:

Returned School Tax	\$ <u>52,331.06</u>	
Amount Spread on Town	\$ <u>111.04</u>	
		\$ <u>52,442.10</u>

TOTAL TO COUNTY TREASURER \$ 801,646.10

WHOLE AMOUNT OF WARRANT \$ 1,311,774.96

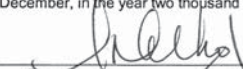
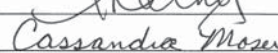
LESS: Balance Due Town	\$ _____	\$ _____
Amount Paid County Treasurer	\$ _____	\$ <u>0.00</u>

NET AMOUNT OF WARRANT \$ 1,311,774.96

	Excess/Deficit	\$ <u>(0.26)</u>
AMOUNT OF TAX LIST(Final Recapitulation)		\$ <u>1,311,774.70</u>

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 23rd day of December, in the year two thousand twenty one.

 Chairman
 Clerk



TOWN TAX WARRANTS

**TAX WARRANT
TOWN OF MONTAGUE**

SPECIAL DISTRICT TAX KEY	General Tax Key-Town Wide	5.667632
Montague Fire Protection 0.257613	General Tax Key-Outside Town	
	Highway Tax Key	
	County Tax Key Cty	1.643785
Equalization Rate: 100.00	County Tax Key NY	5.903438

STATE OF NEW YORK)

ss:
County of Lewis }

To : Barbara Loomis

Collector of the Town MONTAGUE

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ <u>204,660.00</u>	\$ <u>204,660.00</u>	
Town Outside Tax Levy General	\$ _____	\$ _____	
Highway Money-Outside Village Item 1	\$ _____	\$ _____	
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____	

Special District Tax:

Montague Fire Protection 9,345.00

TOTAL TO SUPERVISOR \$ 214,005.00

TO THE COUNTY TREASURER:

County Tax	\$ <u>270,962.00</u>		
Levy & Assess BR Regulating District	\$ _____	\$ _____	
Workmen's Compensation Insurance	\$ <u>0.00</u>	\$ _____	
		\$ <u>270,962.00</u>	

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ <u>15,699.74</u>		
Amount Spread on Town	\$ <u>(0.20)</u>	\$ _____	
		\$ <u>15,699.54</u>	

TOTAL TO COUNTY TREASURER \$ 286,661.54

WHOLE AMOUNT OF WARRANT \$ 500,666.54

LESS: Balance Due Town	\$ _____		
Amount Paid County Treasurer	\$ _____	\$ <u>0.00</u>	

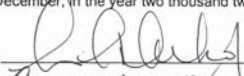
NET AMOUNT OF WARRANT \$ 500,666.54

Excess/Deficit \$ (0.16)

AMOUNT OF TAX LIST(Final Recapitulation) \$ 500,666.38

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 23rd day of December, in the year two thousand twenty one.


 _____ Chairman
 Cassandra Moser
 _____ Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF NEW BREMEN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.774357
New Bremen Fire District	0.926973	General Tax Key-Outside Town	2.179242
Beaver Falls Fire District	2.826019	Highway Tax Key	
New Bremen Fire Protection	0.266060	County Tax Key Cty	1.641507
		County Tax Key NY	5.895256

Equalization Rate 100

STATE OF NEW YORK)

County of Lewis }
 } ss:

To : Elizabeth B Jones

Collector of the Town NEW BREMEN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 688,244.00	\$ 688,244.00
Town Outside Tax Levy General	\$ 1,077.00	\$ 1,077.00
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ 367,155.00	\$ 367,155.00

Special District Tax:

New Bremen Fire District	78,000.00
Beaver Falls Fire District	45,294.37
New Bremen Fire Protection	17,088.00
New Bremen Light District	10,799.36
Water Relevy	4,079.86

TOTAL TO SUPERVISOR \$ 1,211,737.59

TO THE COUNTY TREASURER:

County Tax	\$ 1,371,615.00	\$ 1,371,615.00
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Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 132,033.25
Returned Village Tax	\$ 3,301.94
Amount Spread on Town	\$ 319.73
	\$ 135,654.92

TOTAL TO COUNTY TREASURER \$ 1,507,269.92

WHOLE AMOUNT OF WARRANT \$ 2,719,007.51

LESS: Balance Due Town	\$ _____	\$ _____
Amount Paid County Treasurer	\$ _____	\$ 0.00

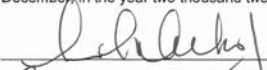
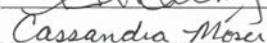
NET AMOUNT OF WARRANT \$ 2,719,007.51

Excess/Deficit \$ (0.02)
\$ 2,719,007.49

AMOUNT OF TAX LIST(Final Recapitulation)

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 23rd day of December, in the year two thousand twenty one.

 Chairman
 Clerk

TOWN TAX WARRANTS

**TAX WARRANT
TOWN OF OSCEOLA**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	7.722518
Osceola Fire Protection	0.833852	General Tax Key-Outside Town	
Osceola Library	0.161409	Highway Tax Key	
		County Tax Key Cty	1.643785
Equalization Rate: 100.00		County Tax Key NY	5.903436

STATE OF NEW YORK)

County of Lewis } ss:

To : Andrew Burns

Collector of the Town Osceola

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ <u>358,494.00</u>	\$ <u>358,494.00</u>	
Town Outside Tax Levy General	\$ _____	\$ _____	
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____	

Special District Tax:

Osceola Fire Protection		45,500.00	
Library		7,500.00	

TOTAL TO SUPERVISOR \$ 411,494.00

TO THE COUNTY TREASURER:

County Tax	\$ <u>328,077.00</u>	\$ <u>328,077.00</u>	
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Taxes to be Re-Assessed, viz:

Returned School Tax	\$ <u>51,258.43</u>		
Amount Spread on Town	\$ <u>338.43</u>		
		\$ <u>51,596.86</u>	

TOTAL TO COUNTY TREASURER \$ 379,673.86

WHOLE AMOUNT OF WARRANT \$ 791,167.86

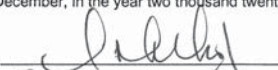
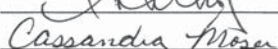
LESS: Balance Due Town	\$ _____		
Amount Paid County Treasurer	\$ _____	\$ <u>0.00</u>	

NET AMOUNT OF WARRANT \$ 791,167.86

AMOUNT OF TAX LIST(Final Recapitulation)		Excess/Deficit	\$ <u>0.21</u>
			\$ <u>791,168.07</u>

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 23rd day of December, in the year two thousand twenty one.


 _____ Chairman

 _____ Clerk

TOWN TAX WARRANTS

**TAX WARRANT
TOWN OF TURIN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	6.247506
Turin Fire Protection	0.627119	General Tax Key-Outside Town	1.645736
<hr/>		Highway Tax Key	
<hr/>		County Tax Key Cty	1.642091
Equalization Rate	100.00	County Tax Key NY	5.897353

STATE OF NEW YORK}

ss:
County of Lewis }

To : Sheena Dickinson

Collector of the Town TURIN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ <u>479,722.00</u>		\$ 479,722.00
Town Outside Tax Levy General	\$ <u>4,240.00</u>		\$ 4,240.00
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ <u>104,187.00</u>		\$ 104,187.00

Special District Tax:

Turin Fire Protection 42,951.00

TOTAL TO SUPERVISOR \$ 631,100.00

TO THE COUNTY TREASURER:

County Tax \$ 575,445.00
\$ 575,445.00

Taxes to be Re-Assessed, viz:

Returned School Tax \$ 84,229.41
 Returned Village Tax \$ 3,924.78
 Amount Spread on Town \$ (0.08)
\$ 88,154.11

TOTAL TO COUNTY TREASURER \$ 663,599.11

WHOLE AMOUNT OF WARRANT \$ 1,294,699.11

LESS: Balance Due Town \$ _____
 Amount Paid County Treasurer \$ 0.00

NET AMOUNT OF WARRANT \$ 1,294,699.11

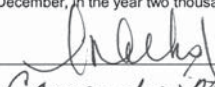
AMOUNT OF TAX LIST(Final Recapitulation) \$ 1,294,699.13

Excess/Deficit

\$ 0.02

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 23rd day of December, in the year two thousand twenty one.


 _____ Chairman
Cassandra Moser Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF WATSON**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	5.311512
Watson Fire Protection	0.238501	General Tax Key-Outside Town	
		Highway Tax Key	
		County Tax Key Cty	1.643478
Equalization Rate 100.		County Tax Key NY	5.902333

STATE OF NEW YORK)

County of Lewis } ss:

To : Christina Merry

Collector of the Town WATSON

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ <u>1,104,217.00</u>	\$ <u>1,104,217.00</u>
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1	\$ _____	\$ _____
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

Special District Tax:

Watson Fire Protection	52,675.00
Watson Light & Water Districts	22,753.74

TOTAL TO SUPERVISOR \$ 1,179,645.74

TO THE COUNTY TREASURER:

County Tax	\$ <u>1,578,376.00</u>	\$ <u>1,578,376.00</u>
------------	------------------------	------------------------

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ <u>119,974.98</u>	
Amount Spread on Town	\$ <u>753.42</u>	
		\$ <u>120,728.40</u>

TOTAL TO COUNTY TREASURER \$ 1,699,104.40

WHOLE AMOUNT OF WARRANT \$ 2,878,750.14

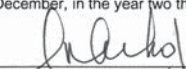

LESS: Balance Due Town	\$ _____	\$ _____
Amount Paid County Treasurer	\$ _____	\$ <u>0.00</u>

NET AMOUNT OF WARRANT \$ 2,878,750.14

	Excess/Deficit	\$ <u>0.22</u>
AMOUNT OF TAX LIST(Final Recapitulation)		\$ <u>2,878,750.36</u>

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 23rd day of December, in the year two thousand twenty one.


 _____ Chairman

 _____ Clerk

BUDGET

2022

ADOPTED
COUNTY BUDGET

LEWIS COUNTY

RYAN PICHE
BUDGET OFFICER

ERIC VIRKLER
DEPUTY BUDGET OFFICER

PRESENTED TO CLERK OF THE BOARD
11/02/2021

(Pursuant to Section 354-County Law)

PUBLIC HEARING
November 18, 2021

Adopted 11/18/2021

BUDGET ON FILE WITH CLERK OF THE BOARD

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