

REGULAR MEETING
June 3, 2025

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

Roll Call: All Legislators were present, except Legislator Nortz who was excused. There were 13 other people present.

Chairman Dolhof asked Legislator Kalamas for the Invocation, followed by the Pledge of Allegiance.

PROCLAMATIONS:

The Clerk of the Board read a proclamation commemorating June 2025 as Dairy Month. Chairman Dolhof handed the proclamation to the current Lewis County Dairy Princess Malory Hawn.

Chairman Dolhof declared the May 6, 2025, 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
Jeffrey Nellenback
Herb Frost
Barry Lyndaker

Dated: June 3, 2025

Legislator Frost moved to accept the recommendation of the Finance & Rules Committee, seconded by Legislator Moroughan, and carried.

CLERK OF THE BOARD REPORT:

The Southern Lewis County EMS Coalition sent in correspondence in opposition to the recent proposal put forth by Lewis County Search and Rescue citing that it wouldn't be in the best long-term interests of Lewis County residents. They went on to commend and support the Lewis County Legislature's insightful initiative to engage an outside, independent entity to conduct a thorough study of our county's emergency response capabilities.

Green County sent two adopted resolutions titled "Resolution in Support of Senate Bill S.6351 to Amend General Municipal Law in Relation to Electronic Bell Jar Games" and "Supporting the Adoption of Senate Bill S.1183 & Assembly Bill

A.74 by the New York State Legislature to Establish a Real Property Tax Exemption for Veterans who have a One Hundred Percent Service-Connected Disability”.

A reminder to the Board to mark your calendars for September 8th through the 10th for the NYSAC Centennial Fall Seminar in Niagara Falls. If you are interested in attending, please reach out and let me know as soon as possible.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne, Chair of the Finance & Rules Committee, reminded the board that if they didn't bring in their County issued iPad to please do so between now and Committee meetings on Tuesday, June 17th for updates. Also, if they have not reached out with a date and time that works to meet with the County Manager, to do so in the next week or two, as his calendar is filling up quickly. The 2026 Budget preparation will begin in July with individual meetings with each county department. This year the hope is to have everyone have their budget requests in the same format to make it easier to compile all the information.

Legislator Moroughan, Chair of the General Services Committee, reported that the Lewis County Recreation, Forestry and Parks Department is seeking public input as it works to expand the Off-Highway Vehicle (OHV) Trail System in the towns of Watson, Glenfield, and Greig. A public meeting will be held on Tuesday, June 25, 2025 at 6:30 p.m. at the 3G Firehall, 6229 Blue Street, Glenfield.

The SE Group will be conducting two public outreach sessions on the Lewis County Winter Recreation Plan. The first one will be held at the Pine Tree Inn in Brantingham on Tuesday, June 17th beginning at 6:30 p.m. and the second one will be held at the Brantingham Station on Wednesday, June 18th from 7:30 a.m. to 11:00 a.m.

Legislator Moser, Chair of the Human Services Committee, reported that starting June 2nd eligibility letters for the Summer EBT Food Benefit program will be mailed to eligible households and continue throughout the summer. The summer EBT food program helps families buy food for their school aged children during the summer months. Families will get \$120 in food benefits for each eligible child. Most children are automatically enrolled is they are between 6 to 16 years of age and receive SNAP, TA or Medicaid. They are also eligible is they are certified by their school for free or reduced lunch. Funds will be transferred to an EBT card beginning the week of June 16th. For more information, visit OTDA.NY.GOV/SummerEBT or visit the County Facebook page for the direct link.

The HEAP cooling program is expected to close in early July so please apply now, before funding is exhausted. If you have questions about the HEAP cooling program, please call DSS at 315-376-5400.

Mr. Cayer, Lewis County Health System CEO reported that the Hospital Board of Managers met on May 28th and recognized two employees; the March employee of the month was Amy Morrow, Cleaner, and the April employee of the month was Mckenzie Dorrity, LPN. There was a loss of \$290,673 versus a budgeted loss of \$205,824 for the month of April. The year-to-date loss is \$1,659,948 versus a budgeted loss of \$937,206. The physician office gross revenue was 12.2% less than budgeted.

An exciting event that took place recently was a visit from the Commander of the U.S. Army Medical Department Colonel Christina M. Buchner. The Hospital Board of Managers moved to recommend that the Board of Legislators appoint her as an ex-officio, non-voting, advisory member to the Lewis County Hospital Board of Managers. The visit was successful, and members of the military have already been using the maternity ward. Chairman Dolhof agreed with the success of that meeting.

COUNTY MANAGER REPORT:

County Manager Tim Hunt reported that he is beginning the annual performance evaluations of employees. He plans to meet with each Legislator before budget season begins to talk with them about their priorities and goals for next year. In July the budget season begins with department meetings first with Human Resources regarding personnel requests and Information Technology for technology requests.

COUNTY TREASURER REPORT:

County Treasurer Eric Virkler referenced his monthly report and announced that the Audit firm will be at the June Committee meetings for their annual presentation. He will be changing the format of his monthly report based on Tim's feedback to have more financial year-to-date data and fund balance information. Legislator Kalamas pointed out that Fund Balance can be difficult because there is assigned, unassigned, unappropriated and appropriated.

REPORT OF THE FINANCE AND RULES COMMITTEE:

RESOLUTION NO. 104 – 2025
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 \$3,996,019.01 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Moroughan , seconded by Legislator Nellenback .

Legislator Moser abstained due to potential conflict.

The resolution was then adopted on the 3rd day of June, 2025, pursuant to the following roll call vote:

AYES: Osborne, Forst, Nellenback, Kalamas, Leviker, Moroughan, Lyndaker, and Dolhof.

NAYS: None.

ABSENT: Nortz.

RESOLUTION NO. 105 - 2025
RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND THE TOWN OF LOWVILLE FOR FLOOD DAMAGE
PREVENTION ADMINISTRATION AND ENFORCEMENT

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

WHEREAS, the Federal Emergency Management Agency (FEMA) and the NYS Department of Environmental Conservation (NYSDEC) have promulgated regulations concerning the National Flood Insurance Program (NFIP), which, inter alia, require Towns/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 Lowville has enacted a local law or ordinance related to Flood Damage Prevention Administration and Enforcement and designated the Lewis County Building and Fire Codes 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 Department of Building and Fire Codes 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 Lowville Floodplain Management Program under its local law;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. 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 Department of Building and Fire Codes 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 Floodplain Management Program, including enforcement, together with the Federal and State Floodplain Management Regulations.

Section 2. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement upon review by the County Attorney.

Section 3. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to execute any additional Floodplain Intermunicipal Agreements with local municipalities who are in compliance with FEMA and DEC requirements, without the requirement of a separate Resolution, provided that the County Attorney has reviewed the proposed IMA and provides the Board of Legislators with a monthly list of any executed IMAs.

Section 4. The within resolution shall take effect immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June 2025.

RESOLUTION NO. 106 - 2025
RESOLUTION PURSUANT TO LOCAL LAW NO. 2-2007
FINDING AND DETERMINING THAT AN UNSAFE STRUCTURE
SHALL BE DEMOLISHED AND REMOVED
AND TO SET HEARING FOR FINAL ORDER
(WEST LEYDEN)

Introduced by Legislator Andrea Moroughan, 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

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. 419.01-01-44.000, 1057 Ammon Road, in the Hamlet of West Leyden, owned by Madeline Zielasko, deceased and observed the collapsed structure as a result of non-maintenance and extensive snow load this past winter. The unsafe collapsed structure constitutes a clear and imminent threat to human life, safety, and health of the community. The structure was condemned by the Code Enforcement Department on March 7, 2025; and

WHEREAS, a report to the Board of Legislators dated May 12, 2025 indicates a violation of Local Law 2-2007 and the 2020 Property Maintenance Code of NY as a result of the collapsed structure; and

WHEREAS, Section 4 of the Law states that 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) shall be enforced by the County Code Enforcement Officer; and

WHEREAS, the Code Enforcement Officer reported that the collapsed structure is unsafe, in disrepair, and totally damaged. The structure is unfit for human occupancy and is definable as unsafe. This building is a danger to anyone who may attempt to enter. There are no indicated efforts showing any repairs to the structure. 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 to determine and find that the building is an unsafe, dangerous, and collapsed structure as described in the Local Law; that it cannot be safely repaired and should be demolished, with 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. The Lewis County Board of Legislators hereby finds and determines in accordance with the report of the Lewis County Code Enforcement Officer that:

1. The herein described collapsed building is unsafe and 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 properly demolished and removed from the premises.
3. That a Notice as described in Section 7 of Local Law No.2-2007 and copy of this Resolution and Decision be served upon Stephen Zielasko, surviving son of owner Madeline Zielasko, deceased, who has been paying the real property taxes on this parcel since the death of the owner, and all others deemed appropriate who may have an interest in the property.

Section 2. By reason of such findings, the Board of Legislators hereby:

ORDERS, Stephen Zielasko, and any other known interested parties to appear before this Board of Legislators on July 1, 2025 at 5:00 p.m. to Show Cause why an Order should not be directed for the owners to immediately take action to properly demolish and remove the structure located on parcel Tax Map No. 419.01-01-44.000, 1057 Ammon Road, West Leyden, Lewis County, New York in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and further

ORDERS AND DECREES, in the event the Owners/ Interested Parties fail to appear before this Board or fail 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, Notice of these Findings and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the owner of record and any other interested parties 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 if required, 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 Lewis County Clerk.

Section 4. This Resolution shall take effect immediately.

Moved by Legislator Frost , seconded by Legislator Moser , and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 107 - 2025
RESOLUTION AUTHORIZING LEWIS COUNTY
DEPARTMENT OF BUILDING AND FIRE CODES TO AMEND FEE SCHEDULE

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

WHEREAS, the Lewis County Department of Building and Fire Codes requests updates to the Fee Schedule for the various permitting and inspection services performed by the code officers on existing and new buildings, both residential, commercial as well as the fees for operating permits and inspections; and

WHEREAS, the Board of Legislators wishes to approve such request;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the Lewis County Building & Fire Codes Office to amend its Fee Schedule to include the following, with any changes in rate or addition of categories highlighted in bold. The amended fee schedule is as follows:

LEWIS COUNTY BUILDING & FIRE CODE PERMIT & INSPECTION FEE SCHEDULE

*Residential Building: Base Fee	1-144 sq ft - \$25 145 – 1,499 sq ft- \$35 + 1,500 + sq ft - \$60 +
Add'l Sq Ft Fees:	145-3,499 sq ft - 15¢/sq ft 3,500-4,499 sq ft - 20¢/sq ft 4,500 + sq ft - 30¢/sq ft
*Residential Alterations: Work value up to \$5,000 Each \$3,000 over \$5,000	\$40 \$ 5
* Floor area does not include cellar and non-habitable attics, but shall include accessory garage and decks.	
** Multiple Dwellings / Hotels / Motels: Up to three (3) units 4 + units	\$150 base fee plus 10¢/sq ft \$75 each plus 10¢/sq ft
* Floor area does not include cellar and non-habitable attics, but shall include accessory garage and decks.	

<u>Energy Projects:</u> Wind/Cellular/Telecommunications Towers. Solar Arrays / Fields/Energy Storage Facilities- Base fee Project value over \$100,000	\$300+ \$2/each add'l \$1,000
Commercial/Non-Residential Buildings- New Construction: Base Fee Project value over \$100,000:	\$300 \$2/each add'l \$1,000
Commercial/Non-Residential Buildings- Additions: Combined Fee	\$300 base fee + 12¢ per sq. ft.
Commercial/Non-Residential Alterations: Work Value up to \$5,000 Work Value over first \$5,000	\$50 \$5 for each \$3,000 over first \$5,000
Operating Permits- (Via required fire inspections) Churches and non-profit organizations <i>(Annual fire inspection required)</i> Assembly areas w 50 or more occupancy load Tents, Temp Special Event Structures Explosives & Fireworks Welding & Other Hot Work Hazardous Materials Processing Other Undefined Operations	-0- \$50 \$50 \$150 \$150 \$150 \$100
Miscellaneous Flat Rate Permit Fees: Change of Use/Occupancy Swimming Pool Swimming Pool w Deck (up to 144 sq ft) Solid Fuel Burning Device/Chimney Res. Septic system/Alteration Commercial/DOH Approved Septic Demolition Split Permits, per segment Work/Construction w/o permit	\$75 \$35 \$50 \$40 \$50 \$100 \$30 \$100 - base fee then split fee per segment \$100 - 1 st offense \$500- 2 nd offense

Section 2. This updated Fee Schedule shall be posted by the Lewis County Building and Fire Code Department on the County website, in the County Courthouse Building near the Department's location, at other relevant locations and made available by the Department to all interested parties.

Section 3. The updated Fee Schedule shall become effective July 1, 2025.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 108 - 2025
RESOLUTION TO APPROPRIATE FUNDS

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

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriations are hereby approved to recognize New York State grant funding and transfer additional funds to acquire new poll pads, printers and cabinets for polling sites:

Increase:

A0145000 330005 Elections State Aid	\$ 34,118.00
A0145000 221701 Elections IT Capital	\$70,430.00

Decrease:

A0145000 110200 Elections Temp Help	\$36,312.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 109 - 2025
RESOLUTION ACCEPTING OWNERSHIP AND RESPONSIBILITY
FOR SPECIFIC TOWN OF CROGHAN BRIDGES
IDENTIFIED AS (BIN #s 3340020 and 2220310)

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

WHEREAS, Lewis County owns and maintains bridges that are part of the County Highway System and may assume responsibility for other key infrastructure elements within the County for reasons of public safety and efficient management; and

WHEREAS, the Town of Croghan currently holds ownership and/or primary maintenance responsibility for certain bridges located within its municipal boundaries; and

WHEREAS, the County Superintendent of Highways has communicated with the Town of Croghan officials and researched the bridges owned by the Town to consider having the County take over ownership and responsibility of the Town bridges located at: Long Pond Road over West Branch Oswegatchie River identified under the NYS Bridge Identification Number as BIN # 3340020, and South Bridge Street over Beaver River BIN #2220310; and

WHEREAS, the transfer of ownership and responsibility for the local municipal's bridges to the County (joint to joint) is deemed efficient and in the public interest due to factors such as: an increase in bridge efficiency and consistency with key connectors within the County's highway system, a better management and financial position as a County bridge for the significant future bridge costs of replacement or rehabilitation which exceed Town resources, and for the provision of regular and consistent inspection, maintenance and repair standards of the deck (joint to joint) and other customary bridge structures under County oversight; and

WHEREAS, the intention of this transfer is to have the Town remain responsible for maintenance of the roads up to and from the bridge deck joints, and to be responsible for potholes in the asphalt, together with such other and relevant provisions to be set forth in an Inter-Municipal Agreement pursuant to GML Art. 5-G ; and

WHEREAS, in order for these bridge transfers (BIN #'s 3340020, & 2220310) to be valid, the Town Board of Croghan must formally request the transfer to the County together with an IMA for any shared services and responsibilities associated with the transfer, by formal Town Resolution, and for the County Board of Legislators to take similar action, with both certified Resolutions to then be forwarded to the NYS DOT for approval and identification; and

WHEREAS, the Lewis County Superintendent of Highways has reviewed the condition reports and inspection records for the specified bridges and recommends that Lewis County accept ownership and full responsibility upon notice from the Town of Croghan that it requests said transfer; and

WHEREAS, the Lewis County Board of Legislators has considered this recommendation from the County Superintendent of Highways and believes accepting ownership and responsibility for the specified bridges will serve the public safety and welfare of Lewis County residents;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators, upon receipt of a Resolution from the Town of Croghan requesting the County to take over ownership and responsibility for bridges located at Long Pond Road over West Branch Oswegatchie River (BIN 3340020) and South Bridge Street over Beaver River (BIN 2220310), authorizes said transfers and accepts full ownership, title (where applicable to associated land/easements), jurisdiction, and responsibility for the identified bridges, joint to joint together with the bridge structure.

Section 2. The County's responsibility shall encompass all aspects of bridge management including, but not limited to, structural integrity, biennial and interim inspections, load ratings and posting, routine maintenance, preventative maintenance, repairs, rehabilitation, and eventual replacement, effective upon full execution of any and all necessary transfer agreements and documents required by the NYS DOT.

Section 3. The Lewis County Board of Legislators authorizes an Inter-Municipal Agreement with the Town of Croghan to effectuate any and all terms and conditions to be exercised by each entity in the successful management of these bridges and the Town roads leading to same.

Section 4. The Chair of the Lewis County Board of Legislators is hereby authorized to execute, on behalf of Lewis County, any and all agreements or other legal documents necessary to formally accept jurisdiction and responsibility for the specified bridges from the Town of Croghan, subject to the review and approval as to form by the Lewis County Attorney.

Section 5. Upon acceptance and identification of this transfer by NYSDOT, the Lewis County Superintendent of Highways is hereby authorized and directed to take all necessary actions to incorporate the specified bridges into the County's bridge inventory, inspection schedule (in accordance with NYSDOT and federal requirements), and maintenance/capital improvement programs effective upon the transfer date.

Section 6. The Clerk of the Lewis County Board of Legislators is hereby directed to forward certified copies of this resolution to the Town of Croghan Supervisor, Town Clerk, and Town Highway Superintendent, and to the Lewis County Treasurer, County Attorney, and County Highway Superintendent.

Section 7. The within resolution is effective immediately.

Moved by Legislator Kalamas , seconded by Legislator Frost , and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 110 - 2025
RESOLUTION ACCEPTING OWNERSHIP AND RESPONSIBILITY FOR
SPECIFIC TOWN OF DIANA BRIDGE IDENTIFIED AS (BIN # 2220340)

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

WHEREAS, Lewis County owns and maintains bridges that are part of the County Highway System and may assume responsibility for other key infrastructure elements within the County for reasons of public safety and efficient management; and

WHEREAS, the Town of Diana currently holds ownership and/or primary maintenance responsibility for certain bridges located within its municipal boundaries; and

WHEREAS, the County Superintendent of Highways has communicated with the Town of Diana officials and researched the bridge owned by the Town to consider having the County take over ownership and responsibility of the Town bridge located at Jerden Falls Road over Middle Branch Oswegatchie River and identified under the NYS Bridge Identification Number as BIN # 2220340; and

WHEREAS, the transfer of ownership and responsibility for the local municipal's bridge to the County (joint to joint) is deemed efficient and in the public interest due to factors such as: an increase in bridge efficiency and consistency with key connectors within the County's highway system, a better management and financial position as a County bridge for the significant future bridge costs of replacement or rehabilitation which exceed Town resources, and for the provision of regular and consistent inspection, maintenance and repair standards of the deck (joint to joint) and other customary bridge structures under County oversight; and

WHEREAS, the intention of this transfer is to have the Town remain responsible for maintenance of the road up to and from the bridge deck joints, and to be responsible for potholes in the asphalt, together with such other and relevant provisions to be set forth in an Inter-Municipal Agreement pursuant to GML Art. 5-G ; and

WHEREAS, in order for this bridge transfer (BIN # 2220340) to be valid, the Town Board of Diana must formally request the transfer to the County together with an IMA for any shared services and responsibilities associated with the transfer, by formal Town Resolution, and for the County Board of Legislators to take similar action, with both certified Resolutions to then be forwarded to the NYS DOT for approval and identification; and

WHEREAS, the Lewis County Superintendent of Highways has reviewed the condition reports and inspection records for the specified bridge and recommends that Lewis County accept ownership and full responsibility upon notice from the Town of Diana that it requests said transfer; and

WHEREAS, the Lewis County Board of Legislators has considered this recommendation from the County Superintendent of Highways and believes accepting ownership and responsibility for the specified bridges will serve the public safety and welfare of Lewis County residents;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators, upon receipt of a Resolution from the Town of Diana requesting the County to take over ownership and responsibility for bridge BIN #2220340 located at Jerden Falls Road over Middle Branch Oswegatchie River, authorizes said transfer and accepts full ownership, title (where applicable to associated land/easements), jurisdiction, and responsibility for the identified bridge, joint to joint together with the bridge structure.

Section 2. The County's responsibility shall encompass all aspects of bridge management including, but not limited to, structural integrity, biennial and interim inspections, load ratings and posting, routine maintenance, preventative maintenance, repairs, rehabilitation, and eventual replacement, effective upon full execution of any and all necessary transfer agreements and documents required by the NYS DOT.

Section 3. The Lewis County Board of Legislators authorizes an Inter-Municipal Agreement with the Town of Diana to effectuate any and all terms and conditions to be exercised by each entity in the successful management of this bridge and the Town road leading to same.

Section 4. The Chair of the Lewis County Board of Legislators is hereby authorized to execute, on behalf of Lewis County, any and all agreements or other legal documents necessary to formally accept jurisdiction and responsibility for the specified bridge from the Town of Diana, subject to the review and approval as to form by the Lewis County Attorney.

Section 5. Upon acceptance and identification of this transfer by NYSDOT, the Lewis County Superintendent of Highways is hereby authorized and directed to take all necessary actions to incorporate the specified bridge into the County's bridge inventory, inspection schedule (in accordance with NYSDOT and federal requirements), and maintenance/capital improvement programs effective upon the transfer date.

Section 6. The Clerk of the Lewis County Board of Legislators is hereby directed to forward certified copies of this resolution to the Town of Diana Supervisor, Town Clerk, and Town Highway Superintendent, and to the Lewis County Treasurer, County Attorney, and County Highway Superintendent.

Section 7. The within resolution is effective immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 111 - 2025
RESOLUTION ACCEPTING OWNERSHIP AND RESPONSIBILITY FOR
SPECIFIC TOWN OF LEYDEN BRIDGE IDENTIFIED AS (BIN # 2220520)

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

WHEREAS, Lewis County owns and maintains bridges that are part of the County Highway System and may assume responsibility for other key infrastructure elements within the County for reasons of public safety and efficient management; and

WHEREAS, the Town of Leyden currently holds ownership and/or primary maintenance responsibility for certain bridges located within its municipal boundaries; and

WHEREAS, the County Superintendent of Highways has communicated with the Town of Leyden officials and researched the bridge owned by the Town to consider having the County take over ownership and responsibility of the Town bridge located at Brock Road over North Branch Moose Creek and identified under the NYS Bridge Identification Number as BIN # 2220520; and

WHEREAS, the transfer of ownership and responsibility for the local municipal's bridge to the County (joint to joint) is deemed efficient and in the public interest due to factors such as: an increase in bridge efficiency and consistency with key connectors within the County's highway system, a better management and financial position as a County bridge for the significant future bridge costs of replacement or rehabilitation which exceed Town resources, and for the provision of regular and consistent inspection, maintenance and repair standards of the deck (joint to joint) and other customary bridge structures under County oversight; and

WHEREAS, the intention of this transfer is to have the Town remain responsible for maintenance of the road up to and from the bridge deck joints, and to be responsible for potholes in the asphalt, together with such other and relevant provisions to be set forth in an Inter-Municipal Agreement pursuant to GML Art. 5-G ; and

WHEREAS, in order for this bridge transfer (BIN # 2220520) to be valid, the Town Board of Leyden must formally request the transfer to the County together with an IMA for any shared services and responsibilities associated with the transfer, by formal Town Resolution, and for the County Board of Legislators to take similar action, with both certified Resolutions to then be forwarded to the NYS DOT for approval and identification; and

WHEREAS, the Lewis County Superintendent of Highways has reviewed the condition reports and inspection records for the specified bridge and recommends that Lewis County accept ownership and full responsibility upon notice from the Town of Leyden that it requests said transfer; and

WHEREAS, the Lewis County Board of Legislators has considered this recommendation from the County Superintendent of Highways and believes accepting ownership and responsibility for the specified bridge will serve the public safety and welfare of Lewis County residents;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators, upon receipt of a Resolution from the Town of Leyden requesting the County to take over ownership and responsibility for bridge BIN #2220520 located at Brock Road over North Branch Moose Creek, authorizes said transfer and accepts full ownership, title (where applicable to associated land/easements), jurisdiction, and responsibility for the identified bridge, joint to joint together with the bridge structure.

Section 2. The County's responsibility shall encompass all aspects of bridge management including, but not limited to, structural integrity, biennial and interim inspections, load ratings and posting, routine maintenance, preventative maintenance, repairs, rehabilitation, and eventual replacement, effective upon full execution of any and all necessary transfer agreements and documents required by the NYS DOT.

Section 3. The Lewis County Board of Legislators authorizes an Inter-Municipal Agreement with the Town of Leyden to effectuate any and all terms and conditions to be exercised by each entity in the successful management of this bridge and the Town road leading to same.

Section 4. The Chair of the Lewis County Board of Legislators is hereby authorized to execute, on behalf of Lewis County, any and all agreements or other legal documents necessary to formally accept jurisdiction and responsibility for the specified bridge from the Town of Leyden, subject to the review and approval as to form by the Lewis County Attorney.

Section 5. Upon acceptance and identification of this transfer by NYSDOT, the Lewis County Superintendent of Highways is hereby authorized and directed to take all necessary actions to incorporate the specified bridge into the County's bridge inventory, inspection schedule (in accordance with NYSDOT and federal requirements), and maintenance/capital improvement programs effective upon the transfer date.

Section 6. The Clerk of the Lewis County Board of Legislators is hereby directed to forward certified copies of this resolution to the Town of Leyden Supervisor, Town Clerk, and Town Highway Superintendent, and to the Lewis County Treasurer, County Attorney, and County Highway Superintendent.

Section 7. The within resolution is effective immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 112 - 2025
RESOLUTION ACCEPTING OWNERSHIP AND RESPONSIBILITY
FOR SPECIFIC TOWN OF LOWVILLE BRIDGES
IDENTIFIED AS (BIN#s 3220570, 2220580, 2267100, and 2220560)

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

WHEREAS, Lewis County owns and maintains bridges that are part of the County Highway System and may assume responsibility for other key infrastructure elements within the County for reasons of public safety and efficient management; and

WHEREAS, the Town of Lowville currently holds ownership and/or primary maintenance responsibility for certain bridges located within its municipal boundaries; and

WHEREAS, the County Superintendent of Highways has communicated with the Town of Lowville officials and researched the bridges owned by the Town to consider having the County take over ownership and responsibility of the Town bridges located and identified under the NYS Bridge Identification Number (BIN):

Gordon Road over Mill Creek, BIN # 3220570

Bardo Road over Mill Creek, BIN # 2220580

McCue Road over Mill Creek, BIN # 2267100

Bickford Road over Mill Creek, BIN # 2220560

WHEREAS, the transfer of ownership and responsibility for the local municipal's bridges to the County (joint to joint) is deemed efficient and in the public interest due to factors such as: an increase in bridge efficiency and consistency with key connectors within the County's highway system, a better management and financial position as County bridges for the significant future bridge costs of replacement or rehabilitation which exceed Town resources, and for the provision of regular and consistent inspection, maintenance and repair standards of the deck (joint to joint) and other customary bridge structures under County oversight; and

WHEREAS, the intention of this transfer is to have the Town remain responsible for maintenance of the roads up to and from the bridge deck joints, and to be responsible for potholes in the asphalt, together with such other and relevant provisions to be set forth in an Inter-Municipal Agreement pursuant to GML Art. 5-G ; and

WHEREAS, in order for these bridge transfers (BIN #'s 3220570, 2220580, 2267100, & 2220560) to be valid, the Town Board of Lowville must formally request the transfer to the County together with an IMA for any shared services and responsibilities associated with the transfer, by formal Town Resolution, and for the County Board of Legislators to take similar action, with both certified Resolutions to then be forwarded to the NYS DOT for approval and identification; and

WHEREAS, the Lewis County Superintendent of Highways has reviewed the condition reports and inspection records for the specified bridges and recommends that Lewis County accept ownership and full responsibility upon notice from the Town of Lowville that it requests said transfer; and

WHEREAS, the Lewis County Board of Legislators has considered this recommendation from the County Superintendent of Highways and believes accepting ownership and responsibility for the specified bridges will serve the public safety and welfare of Lewis County residents;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators, upon receipt of a Resolution from the Town of Lowville requesting the County to take over ownership and responsibility for bridges located at Gordon Road over Mill Creek (BIN# 3220570), Bardo Road over Mill Creek (BIN# 2220580), McCue Road over Mill Creek (BIN# 2267100), and Bickford Road over Mill Creek (BIN# 2220560) authorizes said transfers and accepts full ownership, title (where applicable to associated land/easements), jurisdiction, and responsibility for the identified bridges, joint to joint together with the bridge structure.

Section 2. The County's responsibility shall encompass all aspects of bridge management including, but not limited to, structural integrity, biennial and interim inspections, load ratings and posting, routine maintenance, preventative maintenance, repairs, rehabilitation, and eventual replacement, effective upon full execution of any and all necessary transfer agreements and documents required by the NYS DOT.

Section 3. The Lewis County Board of Legislators authorizes an Inter-Municipal Agreement with the Town of Lowville to effectuate any and all terms and conditions to be exercised by each entity in the successful management of these bridges and the Town roads leading to same.

Section 4. The Chair of the Lewis County Board of Legislators is hereby authorized to execute, on behalf of Lewis County, any and all agreements or other legal documents necessary to formally accept jurisdiction and responsibility for the specified bridges from the Town of Lowville, subject to the review and approval as to form by the Lewis County Attorney.

Section 5. Upon acceptance and identification of this transfer by NYSDOT, the Lewis County Superintendent of Highways is hereby authorized and directed to take all necessary actions to incorporate the specified bridges into the County's bridge inventory, inspection schedule (in accordance with NYSDOT and federal requirements), and maintenance/capital improvement programs effective upon the transfer date.

Section 6. The Clerk of the Lewis County Board of Legislators is hereby directed to forward certified copies of this resolution to the Town of Lowville Supervisor, Town Clerk, and Town Highway Superintendent, and to the Lewis County Treasurer, County Attorney, and County Highway Superintendent.

Section 7. The within resolution is effective immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 113 - 2025
RESOLUTION ACCEPTING OWNERSHIP AND RESPONSIBILITY FOR
SPECIFIC TOWN OF LYONSDALE BRIDGE IDENTIFIED AS (BIN #2220600)

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

WHEREAS, Lewis County owns and maintains bridges that are part of the County Highway System and may assume responsibility for other key infrastructure elements within the County for reasons of public safety and efficient management; and

WHEREAS, the Town of Lyonsdale currently holds ownership and/or primary maintenance responsibility for certain bridges located within its municipal boundaries; and

WHEREAS, the County Superintendent of Highways has communicated with Town of Lyonsdale officials and researched the bridge owned by the Town to consider having the County take over ownership and responsibility of the Town bridge located at River Road over Fall Brook and identified under the NYS Bridge Identification Number as BIN # 2220600; and

WHEREAS, transfer of ownership and responsibility for a local municipal's bridge to the County (joint to joint) is deemed efficient and in the public interest due to factors such as: an increase in bridge efficiency and consistency with key connectors within the County's highway system, a better management and financial position as a County bridge for the significant future bridge costs of replacement or rehabilitation which exceed Town resources, and for the provision of regular and consistent inspection, maintenance and repair standards of the deck (joint to joint) and other customary bridge structures under County oversight; and

WHEREAS, the intention of this transfer is to have the Town remain responsible for maintenance of the road up to and from the bridge deck joints, and to be responsible for potholes in the asphalt, together with such other and relevant provisions to be set forth in an Inter-Municipal Agreement pursuant to GML Art. 5-G ; and

WHEREAS, in order for this bridge transfer (BIN # 2220600) to be valid, the Town Board of Lyonsdale must formally request the transfer to the County together with an IMA for any shared services and responsibilities associated with the transfer, by formal Town Resolution, and for the County Board of Legislators to take similar action, with both certified Resolutions to then be forwarded to the NYS DOT for approval and identification; and

WHEREAS, the Lewis County Superintendent of Highways has reviewed the condition reports and inspection records for this specified bridge and recommends that Lewis County accept ownership and full responsibility upon notice from the Town of Lyonsdale that it requests said transfer; and

WHEREAS, the Lewis County Board of Legislators has considered this recommendation from the County Superintendent of Highways and believes accepting ownership and responsibility for the specified bridge will serve the public safety and welfare of Lewis County residents;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators, upon receipt of a Resolution from the Town of Lyonsdale requesting the County to take over ownership and responsibility for bridge BIN #2220600 located at River Road over Fall Brook, authorizes said transfer and accepts full ownership, title (where applicable to associated land/easements), jurisdiction, and responsibility for the identified bridge, joint to joint together with the bridge structure.

Section 2. The County's responsibility shall encompass all aspects of bridge management including, but not limited to, structural integrity, biennial and interim inspections, load ratings and posting, routine maintenance, preventative maintenance, repairs, rehabilitation, and eventual replacement, effective upon full execution of any and all necessary transfer agreements and documents required by the NYS DOT.

Section 3. The Lewis County Board of Legislators authorizes an Inter-Municipal Agreement with the Town of Lyonsdale to effectuate any and all terms and conditions to be exercised by each entity in the successful management of this bridge and the Town road leading to same.

Section 4. The Chair of the Lewis County Board of Legislators is hereby authorized to execute, on behalf of Lewis County, any and all agreements or other legal documents necessary to formally accept jurisdiction and responsibility for the specified bridge from the Town of Lyonsdale, subject to the review and approval as to form by the Lewis County Attorney.

Section 5. Upon acceptance and identification of this transfer by NYSDOT, the Lewis County Superintendent of Highways is hereby authorized and directed to take all necessary actions to incorporate the specified bridge into the County's bridge inventory, inspection schedule (in accordance with NYSDOT and federal requirements), and maintenance/capital improvement programs effective upon the transfer date.

Section 6. The Clerk of the Lewis County Board of Legislators is hereby directed to forward certified copies of this resolution to the Town of Lyonsdale Supervisor, Town Clerk, and Town Highway Superintendent, and to the Lewis County Treasurer, County Attorney, and County Highway Superintendent.

Section 7. The within resolution is effective immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 114 - 2025
RESOLUTION ACCEPTING OWNERSHIP AND RESPONSIBILITY FOR
SPECIFIC TOWN OF MARTINSBURG BRIDGE IDENTIFIED AS (BIN #2220650)

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

WHEREAS, Lewis County owns and maintains bridges that are part of the County Highway System and may assume responsibility for other key infrastructure elements within the County for reasons of public safety and efficient management; and

WHEREAS, the Town of Martinsburg currently holds ownership and/or primary maintenance responsibility for certain bridges located within its municipal boundaries; and

WHEREAS, the County Superintendent of Highways has communicated with Town of Martinsburg officials and researched the bridges owned by the Town to consider having the County take over ownership and responsibility of the Town bridge located at Centerville Road over Roaring Brook and identified under the NYS Bridge Identification Number as BIN # 220650; and

WHEREAS, transfer of ownership and responsibility for a local municipal's bridge to the County (joint to joint) is deemed efficient and in the public interest due to factors such as: an increase in bridge efficiency and consistency with key connectors within the County's highway system, a better management and financial position as a County bridge for the significant future bridge costs of replacement or rehabilitation which exceed Town resources, and for the provision of regular and consistent inspection, maintenance and repair standards of the deck (joint to joint) and other customary bridge structures under County oversight; and

WHEREAS, the intention of this transfer is to have the Town remain responsible for maintenance of the road up to and from the bridge deck joints, and to be responsible for potholes in the asphalt, together with such other and relevant provisions to be set forth in an Inter-Municipal Agreement pursuant to GML Art. 5-G ; and

WHEREAS, in order for this bridge transfer (BIN # 2220650) to be valid, the Town Board of Martinsburg must formally request the transfer to the County together with an IMA for any shared services and responsibilities associated with the transfer, by formal Town Resolution, and for the County Board of Legislators to take similar action, with both certified Resolutions to then be forwarded to the NYS DOT for approval and identification; and

WHEREAS, the Lewis County Superintendent of Highways has reviewed the condition reports and inspection records for this specified bridge and recommends that Lewis County accept ownership and full responsibility upon notice from the Town of Martinsburg that it requests said transfer; and

WHEREAS, the Lewis County Board of Legislators has considered this recommendation from the County Superintendent of Highways and believes accepting ownership and responsibility for the specified bridge will serve the public safety and welfare of Lewis County residents;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators, upon receipt of a Resolution from the Town of Martinsburg requesting the County to take over ownership and responsibility for bridge BIN #220650 located at Centerville Road over Roaring Brook, authorizes said transfer and accepts full ownership, title (where applicable to associated land/easements), jurisdiction, and responsibility for the identified bridge, joint to joint together with the bridge structure.

Section 2. The County's responsibility shall encompass all aspects of bridge management including, but not limited to, structural integrity, biennial and interim inspections, load ratings and posting, routine maintenance, preventative maintenance, repairs, rehabilitation, and eventual replacement, effective upon full execution of any and all necessary transfer agreements and documents required by the NYS DOT.

Section 3. The Lewis County Board of Legislators authorizes an Inter-Municipal Agreement with the Town of Martinsburg to effectuate any and all terms and conditions to be exercised by each entity in the successful management of this bridge and the Town road leading to same.

Section 4. The Chair of the Lewis County Board of Legislators is hereby authorized to execute, on behalf of Lewis County, any and all agreements or other legal documents necessary to formally accept jurisdiction and responsibility for the specified bridge from the Town of Martinsburg, subject to the review and approval as to form by the Lewis County Attorney.

Section 5. Upon acceptance and identification of this transfer by NYSDOT, the Lewis County Superintendent of Highways is hereby authorized and directed to take all necessary actions to incorporate the specified bridge into the County's bridge inventory, inspection schedule (in accordance with NYSDOT and federal requirements), and maintenance/capital improvement programs effective upon the transfer date.

Section 6. The Clerk of the Lewis County Board of Legislators is hereby directed to forward certified copies of this resolution to the Town of Martinsburg Supervisor, Town Clerk, and Town Highway Superintendent, and to the Lewis County Treasurer, County Attorney, and County Highway Superintendent.

Section 7. The within resolution is effective immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 115 - 2025
RESOLUTION ACCEPTING OWNERSHIP AND RESPONSIBILITY FOR
SPECIFIC TOWN OF WEST TURIN BRIDGE IDENTIFIED AS (BIN #2220460)

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

WHEREAS, Lewis County owns and maintains bridges that are part of the County Highway System and may assume responsibility for other key infrastructure elements within the County for reasons of public safety and efficient management; and

WHEREAS, the Town of West Turin currently holds ownership and/or primary maintenance responsibility for certain bridges located within its municipal boundaries; and

WHEREAS, the County Superintendent of Highways has communicated with Town of West Turin officials and researched the bridge owned by the Town to consider having the County take over ownership and responsibility of the Town bridge located at Sweeney Road over East BR Fish Creek and identified under the NYS Bridge Identification Number as BIN # 2220460; and

WHEREAS, transfer of ownership and responsibility for a local municipal's bridge to the County (joint to joint) is deemed efficient and in the public interest due to factors such as: an increase in bridge efficiency and consistency with key connectors within the County's highway system, a better management and financial position as a County bridge for the significant future bridge costs of replacement or rehabilitation which exceed Town resources, and for the provision of regular and consistent inspection, maintenance and repair standards of the deck (joint to joint) and other customary bridge structures under County oversight; and

WHEREAS, the intention of this transfer is to have the Town remain responsible for maintenance of the road up to and from the bridge deck joints, and to be responsible for potholes in the asphalt, together with such other and relevant provisions to be set forth in an Inter-Municipal Agreement pursuant to GML Art. 5-G; and

WHEREAS, in order for this bridge transfer (BIN # 2220460) to be valid, the Town Board of West Turin must formally request the transfer to the County together with an IMA for any shared services and responsibilities associated with the transfer, by formal Town Resolution, and for the County Board of Legislators to take similar action, with both certified Resolutions to then be forwarded to the NYS DOT for approval and identification; and

WHEREAS, the Lewis County Superintendent of Highways has reviewed the condition reports and inspection records for this specified bridge and recommends that Lewis County accept ownership and full responsibility upon notice from the Town of West Turin that it requests said transfer; and

WHEREAS, the Lewis County Board of Legislators has considered this recommendation from the County Superintendent of Highways and believes accepting ownership and responsibility for the specified bridge will serve the public safety and welfare of Lewis County residents;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators, upon receipt of a Resolution from the Town of West Turin requesting the County to take over ownership and responsibility for bridge BIN #2220460 located at Sweeney Road over East BR Fish Creek, authorizes said transfer and accepts full ownership, title (where applicable to associated land/easements), jurisdiction, and responsibility for the identified bridge, joint to joint together with the bridge structure.

Section 2. The County's responsibility shall encompass all aspects of bridge management including, but not limited to, structural integrity, biennial and interim inspections, load ratings and posting, routine maintenance, preventative maintenance, repairs, rehabilitation, and eventual replacement, effective upon full execution of any and all necessary transfer agreements and documents required by the NYS DOT.

Section 3. The Lewis County Board of Legislators authorizes an Inter-Municipal Agreement with the Town of West Turin to effectuate any and all terms and conditions to be exercised by each entity in the successful management of this bridge and the Town road leading to same.

Section 4. The Chair of the Lewis County Board of Legislators is hereby authorized to execute, on behalf of Lewis County, any and all agreements or other legal documents necessary to formally accept jurisdiction and responsibility for the specified bridge from the Town of West Turin, subject to the review and approval as to form by the Lewis County Attorney.

Section 5. Upon acceptance and identification of this transfer by NYSDOT, the Lewis County Superintendent of Highways is hereby authorized and directed to take all necessary actions to incorporate the specified bridge into the County's bridge inventory, inspection schedule (in accordance with NYSDOT and federal requirements), and maintenance/capital improvement programs effective upon the transfer date.

Section 6. The Clerk of the Lewis County Board of Legislators is hereby directed to forward certified copies of this resolution to the Town of West Turin Supervisor, Town Clerk, and Town Highway Superintendent, and to the Lewis County Treasurer, County Attorney, and County Highway Superintendent.

Section 7. The within resolution is effective immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 116 - 2025
RESOLUTION ACCEPTING OWNERSHIP AND RESPONSIBILITY FOR
SPECIFIC VILLAGE OF LYONS FALLS BRIDGE IDENTIFIED AS (BIN# 2267260)

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

WHEREAS, Lewis County owns and maintains bridges that are part of the County Highway System and may assume responsibility for other key infrastructure elements within the County for reasons of public safety and efficient management; and

WHEREAS, the Village of Lyons Falls currently holds ownership and/or primary maintenance responsibility for certain bridges located within its municipal boundaries; and

WHEREAS, the County Superintendent of Highways has communicated with the Village of Lyons Falls officials and researched the bridge owned by the Village to consider having the County take over ownership and responsibility of the Village bridge located at Fulton Street over Hoskins Creek and identified under the NYS Bridge Identification Number as BIN # 2267260; and

WHEREAS, the transfer of ownership and responsibility for the local municipal's bridge to the County (joint to joint) is deemed efficient and in the public interest due to factors such as: an increase in bridge efficiency and consistency with key connectors within the County's highway system, a better management and financial position as a County bridge for the significant future bridge costs of replacement or rehabilitation which exceed Village resources, and for the provision of regular and consistent inspection, maintenance and repair standards of the deck (joint to joint) and other customary bridge structures under County oversight; and

WHEREAS, the intention of this transfer is to have the Village remain responsible for maintenance of the road up to and from the bridge deck joints, and to be responsible for potholes in the asphalt, together with such other and relevant provisions to be set forth in an Inter-Municipal Agreement pursuant to GML Art. 5-G ; and

WHEREAS, in order for this bridge transfer (BIN # 2267260) to be valid, the Village Board of Lyons Falls must formally request the transfer to the County together with an IMA for any shared services and responsibilities associated with the transfer, by formal Village Resolution, and for the County Board of Legislators to take similar action, with both certified Resolutions to then be forwarded to the NYS DOT for approval and identification; and

WHEREAS, the Lewis County Superintendent of Highways has reviewed the condition reports and inspection records for the specified bridge and recommends that Lewis County accept ownership and full responsibility upon notice from the Village of Lyons Falls that it requests said transfer; and

WHEREAS, the Lewis County Board of Legislators has considered this recommendation from the County Superintendent of Highways and believes accepting ownership and responsibility for the specified bridge will serve the public safety and welfare of Lewis County residents;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators, upon receipt of a Resolution from the Village of Lyons Falls requesting the County to take over ownership and responsibility for bridge BIN #2267260 located at Fulton Street over Hoskins Creek, authorizes said transfer and accepts full ownership, title (where applicable to associated land/easements), jurisdiction, and responsibility for the identified bridge, joint to joint together with the bridge structure.

Section 2. The County's responsibility shall encompass all aspects of bridge management including, but not limited to, structural integrity, biennial and interim inspections, load ratings and posting, routine maintenance, preventative maintenance, repairs, rehabilitation, and eventual replacement, effective upon full execution of any and all necessary transfer agreements and documents required by the NYS DOT.

Section 3. The Lewis County Board of Legislators authorizes an Inter-Municipal Agreement with the Village of Lyons Falls to effectuate any and all terms and conditions to be exercised by each entity in the successful management of this bridge and the Village road leading to same.

Section 4. The Chair of the Lewis County Board of Legislators is hereby authorized to execute, on behalf of Lewis County, any and all agreements or other legal documents necessary to formally accept jurisdiction and responsibility for the specified bridge from the Village of Lyons Falls, subject to the review and approval as to form by the Lewis County Attorney.

Section 5. Upon acceptance and identification of this transfer by NYSDOT, the Lewis County Superintendent of Highways is hereby authorized and directed to take all necessary actions to incorporate the specified bridge into the County's bridge inventory, inspection schedule (in accordance with NYSDOT and federal requirements), and maintenance/capital improvement programs effective upon the transfer date.

Section 6. The Clerk of the Lewis County Board of Legislators is hereby directed to forward certified copies of this resolution to the Village of Lyons Falls Supervisor, Village Clerk, and Village Highway Superintendent, and to the Lewis County Treasurer, County Attorney, and County Highway Superintendent.

Section 7. The within resolution is effective immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 117 - 2025
RESOLUTION TO APPROPRIATE FUNDS
Highway Department

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

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation takes place in the Highway Department funds to recognize additional revenue received from sale of surplus equipment.

Increase Revenue:

DM513000 326650 Machinery Sale of Equip	\$97,235.00
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Increase Expense:

DM513000 223300 Machinery Vehicles	\$97,235.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 118 - 2025
RESOLUTION AUTHORIZING AND RATIFYING
TENTATIVE AGREEMENT AND FINAL CONTRACT
BETWEEN THE COUNTY OF LEWIS AND
THE UNITED PUBLIC SERVICE EMPLOYEES UNION (UPSEU)
REPRESENTING THE SHERIFF'S ROAD PATROL UNIT.

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

WHEREAS, the existing contract between the County of Lewis and the United Public Service Employees Union (UPSEU), representing the Sheriff's Road Patrol Unit expired on December 31, 2024; and

WHEREAS, the negotiating teams representing the County of Lewis and UPSEU reached a Tentative Agreement with the assistance of PERB assigned Mediator, encompassing a summary of the changes agreed to for a three-year final Collective Bargaining Agreement (CBA) effective January 1, 2025 through December 31, 2027; said Tentative Agreement ratified by the UPSEU membership vote held on May 16, 2025; and

WHEREAS, the County negotiation team recommends and requests that the Lewis County Board of Legislators ratify the Tentative Agreement dated April 22, 2025, accepted by the UPSEU Sheriff's Road Patrol employee membership on May 16, 2025, encompassing the agreed upon changes to be incorporated in a successor three-year final CBA effective January 1, 2025 through December 31, 2027;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby ratifies the Tentative Agreement developed by the negotiating teams, and memorialized as the Tentative Agreement dated April 22, 2025, and accepted by the UPSEU Sheriff's Road Patrol employee members on May 16, 2025.

Section 2. The Chairman, or the Vice-Chairman of the Board of Legislators together with the County negotiating team members are hereby authorized to make, execute, seal and deliver the final CBA contract between the County of Lewis and the United Public Service Employees Union representing the Sheriff's Road Patrol Unit for the period January 1, 2025 through December 31, 2027, upon such form as may be approved by the County Attorney.

Section 3. A copy of the final executed CBA shall be filed in the Office of the Clerk of the Board of Legislators. The Human Resources Department is directed to provide electronic copies of the executed CBA to members of UPSEU and to the Lewis County Sheriff.

Section 4. This resolution shall take effect immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 119 - 2025
RESOLUTION AUTHORIZING AGREEMENT WITH QUANTIFY CONSULTING LLC
FOR ANALYTIC IMPLEMENTATIONS, DASHBOARDS AND SOFTWARE FOR
IDENTIFIED COUNTY OPERATIONAL COMPONENTS

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

WHEREAS, the County Manager secured the professional services of Quantify Consulting LLC (Quantify) to develop metrics and KPI systems for the Solid Waste Department in order to evaluate department-level performance and efficiencies. The initial Dashboard and analytics provided by Quantify for Solid Waste have proven to be useful and beneficial to the Department and to the County Manager in reviewing performance of operations; and

WHEREAS, the County Manager requested additional proposals with scope of work for the following: 1) Phase 2 expanded capabilities for Solid Waste including delivery of actionable insights into per-vehicle maintenance costs, full expense and margin breakdowns for Croghan facility, and enhanced tracking for year-to-date recycling volumes with the use and implantation of Microsoft Azure software; 2) a 9-week engagement to implement Microsoft Azure Synapse analytics with best-fit ETL tooling, designed to deliver a modern data infrastructure with integrated analytics capabilities to support streamlined and improved reporting for data-driven decision-making. The scope of work includes data strategy, analytics implementation, adoption and enablement; and 3) design and implementation of a Munis GL Dashboard including but not limited to Stakeholder Engagement & Dashboard Scoping, Interim Manual Implementation Azure-Enabled Dashboard Deployment, and Adoption and Ongoing Support; and

WHEREAS, the scope of services described above are more fully set forth in the three(3) separate proposals submitted by Quantify at the following costs, (each to be paid 50% upon signing and 50% upon final delivery of services):

- | | |
|--|-------------------------|
| 1. Solid Waste - Phase 2 services and full Dashboard Build | - \$ 8,000 |
| <i>(includes \$500 pre-scoping charge under Phase 1)</i> | |
| 2. Azure Synapse Analytics Implementation & ETL Tooling | - \$ 12,180 |
| 3. Munis GL Dashboard Implementation | - <u>\$ 8,120</u> |
| <u>Total Cost</u> | <u>\$ 28,300</u> |

WHEREAS, the County Manager requests that the Board of Legislators approve these additional professional services with the costs paid from Contingency or other appropriate legislative account;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an amended agreement with Quantify Consulting, LLC, to provide the professional services, software and analytics outlined in its three (3) proposals identified above, at the costs set forth in each proposal, i.e., Solid Waste Phase 2 - \$8,000; Azure analytics & tolling - \$12,180; and Munis GL Dashboard - \$8,120; all three identified services payable in installments as outlined above.

Section 2. The Chair or Vice Chair of the Board of Legislators is authorized to execute the agreement(s) upon review and inclusion of any recommended terms and conditions by the County Attorney.

Section 3. The Treasurer is authorized to transfer the amount of the total cost from budgeted contingency into the appropriate legislative expenditure account line.

Section 4. This Resolution shall take effect immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 120 - 2025
RESOLUTION IN SUPPORT OF THE DEVELOPMENT AUTHORITY OF THE NORTH
COUNTRY'S CONTINUED COMMITMENT TO BROADBAND ACCESS
THROUGH ITS "NORTHERN NEW YORK MIDDLE MILE BROADBAND
INFRASTRUCTURE PROJECT"

Introduced by Legislator Thomas Kalamas, District 2 Legislator.

WHEREAS, the Development Authority of the North Country (DANC) is a New York State Public Benefit Corporation that works with its Partners to meet the region's infrastructure needs in water, sewer, housing, telecommunications and solid waste management; and

WHEREAS, as a NYS Public Benefit Corporation, DANC is a not-for-profit entity, that receives no ongoing state or federal funding to operate, but rather operates as a revenue-based utility charging fees that cover the Authority's costs to operate and maintain its infrastructure; and

WHEREAS, DANC operates a "2000 mile Open Access Telecommunications Middle Mile Network" that serves the entire North Country region by providing access to broadband, that would not otherwise be available, through partnerships with private and public entities; and

WHEREAS, DANC has undertaken a \$24,450,000 "Northern New York Middle Mile Broadband Project" to provide high-quality broadband internet to unserved and underserved communities in 12 counties including Franklin, St. Lawrence, Jefferson, Lewis, Hamilton, Warren, Herkimer, Oswego, Onondaga, Oneida, Fulton, and Montgomery; and

WHEREAS, this project has received \$14,547,750 in federal funding through the Department of Commerce National Telecommunication and Information Administration (NTIA) Middle Mile (Broadband) Grant Program; and

WHEREAS, DANC has partnered with National Grid and Northland Communications to provide service to unserved and underserved communities while bolstering reliability and resilience for electricity service, increase the reach of emergency and health services, increase electric grid cybersecurity, and improve connectivity for United States defense assets; and

WHEREAS, DANC intends to construct approximately 9.3 miles of new utility poles and aerial fiber cable within the existing road right of way along NYS Route 30 in the Town of Lake Pleasant. The construction of this fiber cable is necessary to provide connectivity between the Town of Indian Lake and Speculator resulting in the opportunity for broadband access and improved emergency response and communications in this unserved area; and

WHEREAS, this broadband project is critical infrastructure for the Hamilton County emergency communication tower system, recently permitted by the Adirondack Park Agency;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators salutes DANC and its continued commitment to the Northern New York communities through its Open Access Telecommunications Middle Mile Network projects, including its intention to construct new infrastructure and aerial fiber cable for our Northern New York neighbors in Hamilton County and the Town of Lake Pleasant in order to provide connectivity and the opportunity for broadband access, improved emergency response and communications in unserved areas.

Section 2. The Lewis County Board of Legislators is proud to continue the long-standing partnership it has maintained with DANC in the County's broadband expansion projects, as well as the various water, sewer and solid waste management projects.

Section 3. This resolution shall take effect immediately.

Section 4. The Clerk of the Board is directed to forward a certified copy of this Resolution to Gerald W. Delaney, Executive Director of the Adirondack Park Local Government Review Board, Carl Farone, Executive Director of the Development Authority of the North Country, and all others to whom the Chairman may direct.

Moved by Legislator Frost , seconded by Legislator Osborne , and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 121 - 2025
RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT
BETWEEN LEWIS COUNTY AND BCA FOR ENGINEERING SERVICES: VILLAGE OF
CONSTABLEVILLE ROADWAY AND COMPLETE STREETS PROJECT

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee and Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, on February 4, 2025, the Lewis County Board of Legislators adopted Resolution No. 28 - 2025 authorizing a County Infrastructure Grant Program Application to NYS ESD for up to \$500,000 for road and complete street infrastructure improvement projects; and

WHEREAS, in preparation for an award, the Lewis County Highway Department seeks to proceed with the professional engineering required for the project; and

WHEREAS, the Lewis County Highway Department, Planning & Community Development Department and Purchasing Director request approval of a Professional Services Agreement with BCA Architects & Engineers (hereinafter "BCA"), to provide engineering services in an amount not to exceed \$190,000.00 for the roadway and complete streets improvement project on County Route 52 to complete preliminary design, final design, bidding, and construction administration; and additional engineering and consulting services in an amount not to exceed \$55,000.00 for anticipate services such as base mapping, topographic surveys, construction observation, verification of existing conditions, NYSDOT coordination, subsurface investigation, record drawings, and reimbursable expenses; and

WHEREAS, the costs of these engineering services would be covered by various grant funds, such as CHIPS and the County Infrastructure Grant Program.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes and Professional Services agreement between the County of Lewis by and through the Lewis County Highway Department and BCA to provide engineering services for the roadway and complete streets improvements to County Route 52 in the Village of Constableville.

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

Section 3. The Treasurer is authorized to appropriate the funds from the grant funds and accounts identified by the Highway Superintendent and Director of Planning and Community Development.

Section 4. The within resolution shall take effect immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 122 - 2025
RESOLUTION AUTHORIZING PURCHASE OF LEWIS COUNTY PUBLIC
TRANSPORTATION BUS WITH GRANT FUNDS

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

WHEREAS, the County of Lewis, through the Planning and Community Development Department, was awarded New York State DOT Modernization and Enhancement Program (MEP) funding and DASNY funds towards the purchase of one (1) 16-passenger bus for the Lewis County Public Transportation (LCPT) system; and

WHEREAS, the Director of Planning and Community Development, in consultation with the Purchasing Department, sent out an RFP for the purchase of one (1) 16-passenger bus; and

WHEREAS, two (2) bid proposals were opened on May 7th, 2025 at 2:00 PM. Planning & Community Development Department staff and the Purchasing Director carefully reviewed the bid submission and assessed the criteria. After careful consideration and review, this team recommends that the Board of Legislators award the bid and contract to Model 1 Commercial Vehicles of Indianapolis, IN, to purchase the Chevrolet Starcraft 16-passenger bus not to exceed \$121,750.00; and

WHEREAS, the Board of Legislators seeks to accept this recommendation and award the bid and contract to Model 1 Commercial Vehicles for this project; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Lewis County Board of Legislators hereby authorizes an agreement with and awards the bid for the Chevrolet Starcraft 16-passenger bus to Model 1 Commercial Vehicles of Indianapolis, IN, at a cost not to exceed \$121,750.00.

Section 2. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement and any extensions or modifications thereto, upon review and approval by the County Attorney.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 123 - 2025
**RESOLUTION AUTHORIZING GRANT APPLICATIONS TO THE DEPARTMENT OF
STATE AND THE DEPARTMENT OF ENVIRONMENTAL CONSERVANCY FOR
WATERFRONT REVITALIZATION AND REHABILITATION AND FLOOD MITIGATION
PROJECTS AND TO AUTHORIZE CONTRACTS FOR SAME**

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

WHEREAS, the County of Lewis, by and through the Lewis County Planning and Community Development Department, desires to apply for the Inland Flooding and Local Waterfront Revitalization Grant Program, the Coastal Rehabilitation and Resilience Project Program, both through the Department of State (DOS) and the Resilient Watersheds Grant Program through the Department of Environmental Conservancy (DEC) in order to fund the East Martinsburg Road (County Rt 22), Hospital Hill and Mill Creek Stabilization projects; and

WHEREAS, The Inland Flooding and Local Waterfront Revitalization Program award is estimated to be a minimum of \$150,000.00 with \$15,000,000.00 available with the required local share being 10%. The Coastal Rehabilitation and Resilience Project Program award is estimated to be a minimum of \$300,000.00 with \$20,000,000.00 available with the required local share of 10%. The Resilient Watersheds Grant Program award is estimated to be a minimum of \$150,000.00 with \$10,000,000.00 maximum per applicant available with the required local share of 10%; and

WHEREAS, to the greatest extent possible, the required matches will be accounted for through a combination of grant funding, with the lowest possible attribution made with local funds via Inter-Municipal Agreements with the host municipality and/or County Community Development Funds; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize these applications, and if awarded funding, to authorize agreements through the RFP bid process and appropriate the funds;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the County of Lewis, by and through the Lewis County Planning and Community Development Department, to submit grant applications to the DOS and DEC in order to fund the East Martinsburg Road, Hospital Hill, and Mill Creek Stabilization projects.

Section 2. The Director of Planning and Community Development or the Chair of the Board of Legislators be and the same is hereby authorized to sign and submit

the applications and any documents required under the application upon review by the Planning and Community Development Director.

Section 3. In the event the County is awarded grant funds, the Board of Legislators hereby authorizes acceptance of the award (s), authorizes the Chair or Vice-Chair to execute any grant agreements(s) and other documents required to accept the award(s) and to authorize RFP's to be issued, upon review and approval of the County Attorney.

Section 4. The Treasurer is authorized and directed to appropriate any awarded funds under each grant into correct accounts.

Section 5. The within resolution shall take effect immediately.

Moved by Legislator Frost , seconded by Legislator Moser , and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 124 - 2025
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND GREEN 2 GREEN CONSULTING LLC
FOR PROFESSIONAL PRE-DEMOLITION ASBESTOS SURVEYS
AND AIR MONITORING SERVICES

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

WHEREAS, the County of Lewis, through the Planning and Community Development Department and the Department of Building and Fire Codes, in consultation with the Purchasing Department sent out an RFP to find a qualified contractor to provide blanket rates for pre-demolition asbestos surveying and air monitoring services during demolition; and

WHEREAS, five (5) bid proposals were opened on May 9th, 2025 at 10:00 AM. The Planning & Community Development Department staff and the Purchasing Director carefully reviewed the bid submissions, assessed the criteria, and discussed the potential award with associated funding agencies. After careful consideration and review, this team recommends that the Board of Legislators award the bid and contract to Green 2 Green Consulting LLC, a New York State Certified Service-Disabled Veteran- Owned Business (SDVOB) and Minority Business Enterprise (MBE) as the most qualified bidder, at various service costs for demolition services described in the RFP as follows:

Asbestos Survey- NYS DOL Certified Building Inspector	\$550.00- Per Day \$350.00- Half a Day
Freight Fee	\$40.00- Per Test
Survey Report	\$250.00- Per Report
Friable Bulk Samples (5 Day Turnaround)	\$20.00- Per Sample
Non-Friable, Organically Bound (NOB) Bulk Sample (5 Day Turnaround)	\$70.00- Per Sample
Lead Locicity Characteristic Leaching Procedure (TCLP) Test	\$200.00- Per Test
Air Monitoring- NYS DOL Certified Project Monitor	\$550.00- Per Day \$350.00- Half a Day
Project Monitor Report	\$250.00- Per Report
Phase Contract Microscopy (PCM) Air Samples (Next Day Turnaround)	\$11.00- Per Sample
Freight Fee	\$40.00- Per Shipment
Design Consulting	\$75.00- Per Hour

WHEREAS, the Lewis County Board of Legislators seeks to accept this recommendation and award the bid for the pre- and post-demolition environmental services to include but not limited to air monitoring, project reports and surveys, sampling, and design work to Green 2 Green Consulting LLC, and authorizes an agreement for the specified services to be provided as needed for various projects;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes an Agreement with Green 2 Green Consulting LLC, with offices at 45477 St Rt 12, Suite 1, Alexandria Bay, NY 13607 to provide blanket rates for pre- and post-demolition environmental services for structures that will be demolished by the County.

Section 2. The Lewis County Board of Legislators authorizes said agreement to include all conditions, requirements and terms recommended by the County Attorney, at various costs, as needed, per project as identified on the submitted bid as follows:

Asbestos Survey- NYS DOL Certified Building Inspector	\$550.00- Per Day \$350.00- Half a Day
Freight Fee	\$40.00- Per Test
Survey Report	\$250.00- Per Report
Friable Bulk Samples (5 Day Turnaround)	\$20.00- Per Sample
Non-Friable, Organically Bound (NOB) Bulk Sample (5 Day Turnaround)	\$70.00- Per Sample
Lead Locicity Characteristic Leaching Procedure (TCLP) Test	\$200.00- Per Test
Air Monitoring- NYS DOL Certified Project Monitor	\$550.00- Per Day \$350.00- Half a Day
Project Monitor Report	\$250.00- Per Report
Phase Contract Microscopy (PCM) Air Samples (Next Day Turnaround)	\$11.00- Per Sample
Freight Fee	\$40.00- Per Shipment
Design Consulting	\$75.00- Per Hour

Section 3. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any non-monetary amendments thereto, upon review and approval by the County Attorney.

Section 4. The within resolution shall take effect immediately.

Moved by Legislator Frost , seconded by Legislator Moser , and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 125 - 2025
RESOLUTION DISCONTINUING ASSESSMENT SERVICES WITH TOWNS

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

WHEREAS, on March 4, 2025, Resolution No. 58-2025 was adopted by the Board of Legislators to allow the Real Property Department to enter into Inter-Municipal Agreements with certain Towns for Data Collection and Assessment Services; and

WHEREAS, the Director of Real Property seeks to have the Board discontinue any assessment services to be provided to Towns since the assessor hired by the County has submitted his resignation; and

WHEREAS, the Board of Legislators seeks to terminate assessment services to be provided to Towns;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby terminates its prior approval of providing assessment services to County Towns and directs that the position not be refilled upon being vacated by the newly appointed assessor's resignation effective July 11, 2025.

Section 2. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver any IMA termination agreement(s) or other documentation with the Lewis County Director of Real Property wherein assessor services were provided, upon review and approval by the County Attorney.

Section 3. The within Resolution shall take effect immediately.

Moved by Legislator Kalamas, seconded by Legislator Nellenback, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 126 - 2025
FIXING DATE OF PUBLIC HEARING ON THE ADDITION
TO THE OHV TRAIL SYSTEM
(Town of Martinsburg Property)

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

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on July 1, 2025, a proposed addition of approximately 0.2 miles to the Lewis County OHV Trail System. The proposed trail and parking area is located on the Town of Martinsburg, Tax Map Parcel: 259.02-01-12.120, from the Field Day Access Trail off County Route 80 to the open field commonly referred to as the old 3G Field Days clearing;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. A public hearing will be held on July 1, 2025, at 5:00 p.m. before the Lewis County Board of Legislators for the purpose of receiving public comment regarding the proposed addition of approximately 0.2 miles to the Lewis County OHV Trail System.

Section 2. 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 Frost , seconded by Legislator Moser , and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 127 - 2025
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 5-2025), COUNTY OF LEWIS

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on June 3, 2025, a proposed Local Law entitled "A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 3-2015: A LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES".

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. A public hearing will be held on July 1, 2025, at 5:00 p.m. before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York.

Section 2. 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 Frost , seconded by Legislator Moser , and adopted on the 3rd day of June, 2025.

**LOCAL LAW (INTRODUCTORY NO. 5- 2025)
COUNTY OF LEWIS**

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

**A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 3-2015:
A LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM
FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF
SOLID WASTE AND RECYCLABLES**

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

SECTION 1. TITLE

This Local Law shall be known as “**A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 3-2015: A LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES**”.

SECTION 2. PURPOSE, INTENT AND LEGISLATIVE FINDINGS

The Board of Legislators of the County of Lewis, upon consideration and in support of the adoption of Local Law No. 5 - 2025, hereby finds and declares:

1. The safe and proper disposal of the solid waste generated by the people of the County has been and remains a matter of serious public concern. Having a solid waste management system that is environmentally sound and financially self-sufficient benefits all of the residents of the County in that it provides a safe, sanitary and efficient means for the collecting, transporting and disposing of solid wastes.
2. To that end, the County entered into an inter-municipal agreement in or about 1986 with the Development Authority of the North Country (“Authority”), to develop, construct and install a sanitary landfill located in the Town of Rodman (the “Authority landfill”) for the purpose of disposing of solid waste materials that are produced or collected within the participating communities. At that time, Lewis County adopted Local Law No. 2 of 1986, which provided that all solid waste generated or originated within Lewis County be delivered to the North Country Solid Waste Management Facility. The Local Law was subsequently amended in 1992 and 2005.
3. The Authority landfill has become an integral component of the County’s solid waste management system. Additionally, the professional resources of the

Authority in the field of solid waste management are a valuable component of the County solid waste management system.

4. Following the adoption of the inter-municipal agreement with Authority, the County adopted local laws and regulations governing the management of solid waste, including provisions governing collection, source separation of recyclables pursuant to General Municipal Law 120-aa, and a flow control provision directing waste generated within the County to disposal facilities operated by the County or the Authority. Since that time, legal issues arose as to the validity of municipalities mandating that all solid waste generated or collected within their jurisdiction be disposed of in designated municipal facilities. That issue has recently been resolved in federal court and as a result, the County finds that it is appropriate to review its solid waste management program and amend the same in order to address its current needs.
5. The goal of the Regional Solid Waste Management Plan is to create a system of solid waste collection, transportation and disposal that is financially self-supporting, without the use of tax money to subsidize the waste management and recycling program costs. The County finds that designing an integrated solid waste management system that is financially supported by a user fee system is more equitable than one funded by taxes. Revenues needed to pay for the County's solid waste system are derived primarily from user fees that are based on the amount of non-recyclable waste delivered to the County's facilities, rather than from tax revenues that are based on the assessed value of properties in the County. Revenues from the sale of recyclable materials also contribute to system operating costs, however, to a lesser degree.
6. The County provides a strong economic incentive to maximize recycling and waste reduction, by charging a reduced or no fee on recyclable materials. Thus, both those who generate waste and those having a commercial waste hauling permit have an incentive to reduce their disposal costs by increasing their recyclables. Tipping fees on non-recyclable wastes are used to financially support the County's recycling programs which may not generate sufficient revenues to support themselves. This user fee system encourages recycling and other waste reduction activities and therefore maximizes environmental benefits. All classes of waste generators are equitably served when all classes deliver their waste to the County's system. However, fiscal inequity results when some classes of generators or a significant number of waste generators or haulers do not participate in the system. In addition, waste reduction and recycling benefits are lost when recyclable materials are commingled with non-recyclable waste for disposal at out-of-system facilities.

7. Furthermore, establishing a regulatory scheme, including the granting of permits to collect and transport recyclables and waste within the County is both a sound governmental function and provides a safe and effective means of controlling the collection, transportation and disposal of solid waste and recyclables.
8. The County finds and declares that establishing an integrated system of solid waste collection, transportation and disposal that directs all of the non-recyclable waste generated in the County to the public facilities established for the system is the most effective means of achieving the goals of its Solid Waste Management Plan. Recent judicial decisions in the federal courts have determined that municipal governments indeed have the power to direct the flow of waste materials to public facilities. The County remains authorized by the Laws of the State of New York to direct the flow of waste generated in the County to facilities constructed for that purpose. The County hereby declares it to be in the public interest and adopts the annexed legislation amending and restating the local laws requiring that all Solid Waste generated or collected within the County be delivered to a County-owned transfer station or other transfer station as designated by County resolution and/or directly to the Authority Landfill for disposal. The County further finds that including all such recyclable and non-recyclable waste within the integrated system is the best means of providing for the long-term benefit of all participants of the system.

SECTION 3. DEFINITIONS

1. **Authority Landfill:** the Landfill owned and operated by the Authority and located at 23400 State Route 177, Town of Rodman, State of New York.
2. **Board of Legislators or Board:** the Lewis County elected Board of Legislators.
3. **Commercial Waste Permit:** the permit issued pursuant to Section 5.1 of this Local Law.
4. **Commercial Waste:** Solid Waste generated from commercial, business, institutional, educational, or other non-residential sources in the County.
5. **Construction and Demolition Debris:** shall have the meaning set forth in 6 NYCRR 360-1.2 as may be amended from time to time.
6. **County:** Lewis County, New York, a municipal corporation of the State of New York, with offices at 7660 North State Street, Lowville, New York and all of its political subdivisions.
7. **County Facility:** any Solid Waste management facility or facilities owned and/or operated, or caused to be operated by the County, a municipality, or

more than one municipality jointly, or public authority, or privately owned facility designated by the County, located within or out of the County that accepts or disposes of Solid Waste and/or Recyclables pursuant to agreement with the County, including but not limited to landfills, transfer stations, materials recovery facilities, drop off centers, and resource recovery facilities.

8. **Department:** the County Solid Waste Management and Recycling Department (Lewis), (Recycling and Solid Waste Department [Jefferson]) (Solid Waste Department [St. Lawrence]) or its successor. The designated head of that Department is authorized to act on behalf of the Department and the County as authorized herein.
9. **Designated Recyclables :** the materials, established and described by the Department, which shall be separated from the Solid Waste stream for collection and/or delivery to a materials recovery facility or other recycling facility or market. The list of Designated Recyclables may be modified from time to time by regulation promulgated by the Department.
 - a. Separated Dual Stream: residents or businesses are responsible for sorting their recyclables into two (2) separate bins before collection (Stream 1: Paper/Fibers; Stream 2: Bottles/Containers). Waste management services then collect the two streams separately and are processed independently at the facility to reduce contamination.
 - b. Zero-Sort/Single Stream: recycling system where all recyclable materials are placed in a single bin by residents or business which are then transported and sorted by technology to separate materials into distinct streams for recycling.
10. **Farm:** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, suspended or replaced.
11. **Hazardous Waste:** materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulations and/or statute.
12. **Household Hazardous Waste:** shall have the meaning specified in 6 NYCRR Part 360 of the State of New York as the same may be amended from time to time.

13. **Industrial Waste:** a portion of Commercial Waste generated by manufacturing or industrial processes which may have characteristics requiring special handling or treatment in order to qualify for acceptance at a County or Authority Facility. Such waste may include, but is not limited to, the following: electric power generation; fertilizer/agricultural chemicals; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastic and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include oil or gas drilling, production, and water treatment. This term does not include oil or gas drilling, production, and treatment wastes (such as brines, oil, and fluids); or overburden, spoil, or trailing resulting from mining; or solution mining brine and insoluble component wastes.
14. **Infectious Waste:** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended from time to time.
15. **Market:** a primary user of a particular Designated Recyclable, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials not including the County.
16. **Open Dump:** a Solid Waste disposal area which is not authorized to be operated under applicable Federal and State laws and regulations.
17. **Person or Persons:** any individual, company, partnership, association, firm, corporation, municipality, or any other entity, not defined as a "Waste Collector".
18. **Prohibited Materials:** materials which are not authorized to be accepted at a County Facility or the Authority Landfill under the permit for such Facility, together with such other materials posing a hazard or which the Facility is unable to accommodate as may be determined from time to time by the Department.
19. **Recyclables:** such material from Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste sources, including but not limited to "Designated Recyclables", which under an applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
20. **Refuse:** putrescible and incident non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that

of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.

21. **Reload and Resort:** Solid Waste Department members have the right to reload waste that has been dropped at the facility which has not been properly sorted. Staff will reload the waste material on the vehicle of the disposer and not accept the waste until properly sorted. The violator may be subject to a fine/charge for the reload of waste as more fully set forth in this Local Law.
22. **Resident:** any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
23. **Residential Waste:** Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single-family dwellings and multi-family dwellings in the County.
24. **Solid Waste:** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended, superseded or replaced.
25. **Tipping Fees:** the fees charged and collected for the receipt of solid waste and recyclables at any county owned or operated waste facility, and for any waste generated in Lewis County that is hauled directly to the Development Authority of the North Country Regional Landfill, or any other lawful landfill.
26. **Waste Collector:** any individual, association, partnership, firm, corporation, not-for-profit organization, municipality, educational institution or any other person so deemed by the Department engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables.
27. **Waste generator:** any individual, association, partnership, firm, corporation, not-for-profit organization or educational institution which produces Solid Waste and/or Recyclable Materials requiring disposal.
28. **Hearing Officers and Board of Hearing:** Solid Waste Department Director, the Chair of the General Services Committee and two (2) of the remaining Board members who sit on the General Services Committee. The Chair of the Committee will designate which committee members will serve to hear any violation matters.

SECTION 4. ADMINISTRATION

1. The Department shall be primarily responsible for the administration and enforcement of the terms of this Local Law, and for the promulgation of such rules and regulations as may be reasonably required in connection with the administration of this Local Law or the operation of any County Facility.

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

SECTION 5. STANDARDS AND REGULATIONS

1. Commercial Waste Permit Requirements

- a. No Waste Collector shall collect, transport or dispose of Solid Waste and/or Recyclables generated within the County without obtaining a Commercial Waste Permit issued by the Department.
- b. All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this Local Law. Such applications shall include a list of all vehicles (including registration and license numbers) the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the County. The list shall also describe the cubic yard capacity for each vehicle. All Commercial Waste Permit information shall be verified by the applicant as required by this Local Law and the Department.
- c. Upon receipt of a complete application, together with an application fee as determined by the Department and proof of insurance as required by the Department, the Department shall thereupon issue the applicant a Commercial Waste Permit so long as the applicant is otherwise deemed by the Department to be in compliance with this Local Law and related requirements of the Department. A Commercial Waste Permit shall

remain in effect, unless revoked or suspended pursuant to this Local Law.

- d. Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department.
- e. The Department shall issue to a Permit Holder a decal or other identifying mark, to be displayed on each collection vehicle registered with the Department and used by the Permit Holder for the collection of waste within the County. Use of any vehicle for the collection of waste that is not registered with the Department and identified as such shall be a violation of this Local Law.
- f. No Commercial Waste Permit issued pursuant to the provisions of this Local Law shall be transferable.
- g. The Commercial Waste Permit holder hereunder shall furnish the Department with a list identifying the municipalities within which collection services are provided and with as much detail as the Department may require to comply with the reporting requirements of the NYS Department of Environmental Conservation's Annual Transfer Station and/or Planning Unit Reports. This list shall be updated by the Commercial Waste Permit holder at the request of the Department.
- h. The Department, pursuant to Section 6 of this Local Law, shall have the power to impose a civil penalty or suspend, revoke or condition a Commercial Waste Permit granted or renewed pursuant to this Local Law for any violation of any provision of this Local Law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.
- i. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this Local Law and as such rules and regulations may hereafter be amended or supplemented by the Department.
- j. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed as to prevent leakage in transit. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover.

- k. All Commercial Waste Permit holders shall carry and shall provide proof of insurance as deemed appropriate by the Department.
- l. Any Commercial Waste Permit issued pursuant to this Local Law shall be in the nature of a privilege subject to the terms and conditions set forth in this Local Law or as amended or supplemented by the Department from time to time, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.

2. Disposal of Solid Waste

- a. All Waste Collectors and other Persons shall deliver all Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste generated within the County, other than Designated Recyclables or other Recyclables separated at the point of generation for separate collection, to a County Facility, or to the Authority landfill for disposal, if appropriate.
- b. All solid waste delivered in a plastic bag to a County Facility or to the Authority landfill for disposal shall be delivered in a clear or translucent bag such that the contents of the bag are easily identifiable for inspection of prohibited materials, including recyclable materials.
- c. No Waste Collector shall dispose of Solid Waste and/or recyclable at any County Facility without a Commercial Waste Permit. No Waste Collector shall dispose of Solid Waste at any other facility, excluding the Authority Landfill, without the prior authorization of and/or notification to the Department.
- d. Waste generators may transport, deliver and dispose of their own solid waste and/or recyclables at the County Facilities without the necessity of obtaining a permit, provided that the applicable tipping fees are paid.
- e. Anyone entering a County Facility to dispose of Solid Waste must adhere to the fee schedule, rules and regulations as posted and must follow the instructions of the attendant on duty.
- f. Nothing within this Local Law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at any County Facility, or subject the disposer to possible reload and a fine for failure to sort waste.

- g. The Department may, from time to time, provide alternative disposal means at the Authority Landfill or other County Facilities for selected Prohibited Materials.
- h. No solid waste generated outside Lewis County, in whole or in part, will be accepted at any facility located within Lewis County except upon the approval of the General Services Committee of the Board of Legislators or such other committee duly designated by the Board of Legislators to oversee solid waste management within Lewis County.
- i. No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fees.
- j. All fees and fines set by the Solid Waste Department, whether or not identified in this Local Law may be amended from time to time by Resolution of the Lewis County Board of Legislators.

3. Disposal of Recyclables

- a. Nothing in this Local Law shall be construed to prohibit any Person generating Recyclables within the County from separating such recyclables from other wastes and making arrangements for the separate collection or delivery and sale of such materials under such terms as such Person may choose.
- b. No Person shall commingle Designated Recyclables with other Solid Waste and set such commingled Designated Recyclables and Solid Waste at curbside for collection by a Waste Collector.
- c. Owners of facilities open to the public (such as campgrounds, parks) and all organizers of public events are required to provide for the separate recovery, collection, and disposal of Recyclable Materials at the sites and/or events under their sponsorship.
- d. All landlords shall:
 - 1. Deliver information about tenants' source separation obligations to all tenants; and
 - 2. Incorporate in tenants' lease arrangements a condition that tenants must source separate Recyclable Materials in accordance with the provisions contained in this Law.
 - 3. For rental properties at which landlords maintain the responsibility for waste disposal, all landlords shall also provide, and pay for the costs of, adequate access to on-site recycling facilities and systems.

- e. No Waste Collector shall collect Designated Recyclables commingled with other Solid Wastes from any customer in the County.
- f. All Waste Collectors shall provide customers who place separated Designated Recyclables at curbside with collection of those Designated Recyclables, and shall not commingle such Designated Recyclables with other solid wastes.
- g. Designated Recyclables collected at curbside by a Waste Collector may be delivered to a County Facility or to another facility capable of sorting and marketing said material, provided that such facility is permitted or registered with the State, or approved by the Department.

SECTION 6. ENFORCEMENT

1. Administrative Sanctions and Fines on Waste Collectors and Persons

- a. Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend, condition or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this Local Law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this Local Law. The Board of Legislators is hereby authorized to amend the fines/civil penalties imposed herein from time to time by resolution of the Board.
- b. Civil penalties shall be assessed to any Waste Collector and Commercial Waste Permit Holder in an amount not to exceed \$500.00 for a first offense; up to \$1,500.00 for a second offense against the same provision of this law within twelve (12) months of the first offense; and up to \$2,500.00 and/or suspension or revocation of any permit issued pursuant to the Local Law for a third offense against the same provision of laws within eighteen (18) months of the first offense.
- c. A reload fee in an amount of \$100.00 shall be assessed upon a person who fails to sort waste materials at the facility and causes the Department staff to reload dumped material back onto the person's vehicle to be resorted before accepted.
- d. Any person who shall set out Designated Recyclables commingled with other solid waste for collection shall be liable for a civil penalty of up to \$100.00 for the first violation, up to \$200.00 for a second violation committed within twelve (12) months of a prior violation, and up to \$300.00 for a third or subsequent violation committed within twelve (12)

months of a prior violation. The Department has the discretion to turn a persistent violator away from use the facilities.

- e. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this Local Law.

2. Administrative Sanctions and Fines on Enforcement Procedure for Violations

- a. Upon any violation of the provisions of this Local Law or any applicable rules, regulations or requirements of the Department, the Department shall serve notice in person or by ordinary mail with certificate/confirmation of mailing sent to the residence of record for the offender, or in the case of a holder of any permit issued pursuant to this Local Law, to the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend any permit, and/or impose a civil fine/penalty upon the person charged. Any Person or Commercial Waste Permit Holder shall have thirty (30) days from the date of service of notice to pay the fine.
- b. Any Person or Permit Holder so notified may demand a hearing as allowed by this Section, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten (10) days of the date of service of notice. Service by ordinary mail shall be presumed delivered ten (10) days from date mailed. Upon receipt of such demand, a hearing shall be scheduled with notice of the date and time of such hearing forwarded to the person/permit holder. The hearing shall be held at the Lewis County Courthouse, Second Floor Chambers unless otherwise directed.
- c. If the person or Commercial Waste Permit holder served with Notice pursuant to subsections (a) above fails to demand a hearing within the ten (10) day notice period provided for in Section 6 2b. above, the revocation, suspension and/or fine provided for in the notice, shall be effective.
- d. Hearings shall be conducted by the Director of the Solid Waste Department, and the three (3) Board of Legislators who sit on the General Services Committee as set forth under Section 3-26. In any hearing conducted pursuant to this Section, the following shall apply:

- 1) A stenographic record shall be kept. The cost of same is to be equally borne by the County and Person requesting the hearing.
 - 2) The permit holder may be represented by counsel.
 - 3) The Director of Solid Waste may be represented by the County Attorney's office.
 - 4) Witnesses shall be sworn and subject to cross-examination.
 - 5) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence shall be admissible, but shall be accorded such weight as the Board of Hearing deems appropriate, consistent with its reliability.
 - 6) Findings of fact shall be made by the Board of Hearing, in writing, upon a preponderance of the evidence.
 - 7) Upon a finding and determination that a violation has been proven, the Board of hearing shall impose such civil fine/penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Board of Hearing shall be final, and may be subject to judicial review.
- e. Any Person who is ordered to pay a civil fine/penalty for a violation of the provisions of this Local Law shall pay each fine/penalty in full before any permit issued pursuant to this Local Law can be renewed or reinstated, unless otherwise ordered by the Board of Hearing.
- f. Civil Enforcement. The County may enforce the orders and decisions of the Board of Hearing in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.

3. Presumptions

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

4. Enforcement Guidelines

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

SECTION 7. TIPPING FEES

Pursuant to adopted Local Law No. 5-1992, the Board of Legislators is authorized to establish tipping fees for the receipt of solid waste and recyclables at any County owned or operated facility, and for any waste generated in Lewis County that is hauled directly to the Development Authority of the North Country Regional Landfill (DANC), or any other lawful and authorized landfill. Tipping fees may be set and revised from time to time by resolution of the Board of Legislators.

SECTION 8. SEVERABILITY

If any part of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 9. REPEALER

This local law shall be deemed to amend and replace Local Law No. 3-2015 and Local Law No. 2-2005 in their entirety.

SECTION 10. EFFECTIVE DATE

This Local Law shall be effective thirty (30) days upon all legal requirements being met.

RESOLUTION NO. 127 - 2025
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 5-2025), COUNTY OF LEWIS

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on June 3, 2025, a proposed Local Law entitled "A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 3-2015: A LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES".

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. A public hearing will be held on July 1, 2025, at 5:00 p.m. before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York.

Section 2. 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 Frost , seconded by Legislator Moser , and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 128 - 2025
RESOLUTION TO CLOSE ACCOUNTS

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

WHEREAS, since the Capital Data Processing Project is completed and will have no further activity, the Treasurer seeks to close these identified accounts;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The listed Capital Account HAE (Capital Data Processing) below is authorized to be closed by balancing the budgeted revenue and expenditure amounts as follows:

HAE – Capital Data Processing

Increase Revenue:

H0990100 324010 COUNTY SHARE	\$7,410.47
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Increase Expense:

H0990100 499900 CONTRACT	\$7,410.47
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Section 2. The within resolution shall take effect immediately.

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 129 - 2025
RESOLUTION TO CLOSE ACCOUNTS

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

WHEREAS, since the Capital Solid Waste Transfer Station Project is completed and will have no further activity, the Treasurer seeks to close these identified accounts;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The listed Capital Account HAS (Capital Solid Waste Transfer Station) below is authorized to be closed by balancing the budgeted revenue and expense amounts as follows:

HAS – Capital Solid Waste Transfer Station

Increase Revenue:

H0816000 350310 COUNTY SHARE \$317,198.00

Increase Expense:

H0816000 499900 CONTRACT \$317,198.00

Section 2. The within resolution shall take effect immediately.

Moved by Legislator Frost , seconded by Legislator Moser , and adopted on the 3rd day of June, 2025.

RESOLUTION NO. 130 - 2025
APPOINTING MEMBER TO
LEWIS COUNTY YOUTH BUREAU ADVISORY BOARD

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, there has been a vacancy on the Lewis County Youth Bureau Advisory Board since the beginning of May; and

WHEREAS, a viable candidate has been introduced to the Human Services Committee and they recommend the candidate for appointment to fulfill the short unexpired term and a new term;

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Kaylee Tabolt of Croghan, NY, as a member on the Lewis County Youth Bureau Advisory Board to fulfill the unexpired term.

Section 2. That the term of said appointment shall be effective June 4, 2025 through June 30, 2025 and then a new term of July 1, 2025 through June 30, 2027.

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

Moved by Legislator Frost, seconded by Legislator Moser, and adopted on the 3rd day of June, 2025.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Nellenback moved to adjourn the meeting at 5:23 p.m., seconded by Legislator Frost, and carried.