

**REGULAR MEETING**  
**August 5, 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 and there were 27 other people present.

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

**RECOGNITIONS:**

Chairman Dolhof took a moment to recognize an extraordinary accomplishment that brings pride not only to Beaver River Central School, but to all of Lewis County. On July 11<sup>th</sup> and 12<sup>th</sup>, 16 student-athletes from Beaver River Central School Trap Team traveled to Mason, Michigan, to represent their school and our community in the USA Clay Target League National Championship. These young athletes, along with their families and a dedicated team of eight volunteer coaches, demonstrated remarkable sportsmanship, skill and determination.

All 16 athletes competed in the individual competition, and seven were selected to represent Beaver River in the team competition. Out of 264 teams from across the county, Beaver River's team placed 42<sup>nd</sup>, earning a place in the finals. In a field of nearly 1,800 individual competitors, five of our athletes placed in the top 400 to advance to their own final round. On Championship Day, these students delivered a performance that will be remembered for years to come. With a team score of 494 out of 500, they were crowned National Champions.

This achievement is a testament to the strength of the program, the dedication of its athletes, and the leadership of Head Coach Cody O'Donnell, who has guided the program since its start in 2015, alongside an exceptional group of volunteer coaches. Their commitment to mentoring, teaching, and supporting these students goes far beyond the range.

On behalf of the Lewis County Board of Legislators, I want to say how proud we are of each, and every athlete, coach, and family member involved in their program. You have represented not just your school, but our county and our values, with pride, integrity, and excellence. Congratulations to you all on your national championship, you've made Lewis County proud.

Chairman Dolhof declared the July 1, 2025, meeting minutes approved by general consent.

## REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne  
Jeffrey Nellenback  
Herb Frost  
Vincent Nortz  
Barry Lyndaker

Dated: August 5, 2025

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

## REPORTS OF STANDING COMMITTEES:

Legislator Osborne, Chair of the Finance & Rules Committee, reported that Planning and Community Development launched the NY Forward funded Downtown Lyons Falls Small Project Fund on July 31<sup>st</sup>. This funding opportunity provides matching grants (75%/25%) to support impactful improvements to commercial and mixed-use buildings within the NY Forward target area of Downtown Lyons Falls. Work sessions will be held at Lyons Falls Library beginning this week, and applications are due October 3<sup>rd</sup>.

Legislator Moroughan, Chair of the General Services Committee, reported that the Highway Department has the following projects in progress or completed:

- Cold in place recycled West Road and hot mix paved 3.5 miles from Route 177 towards West Martinsburg
- Cold in place recycled Deer River Road 2.2 miles from Route 26 to Limburg Forks Road
- Chip sealed 37.64 miles of road
- Hot mix paved Number Four Road from Village line to new Lowville Farmer's Coop location
- Micropaving to the Pine Grove Road intersection this week
- Repaired box culvert on Osceola Road that was damaged on the June 22<sup>nd</sup> storm, as well as general storm cleanup
- Culvert pipe replacements on Cemetery Road in Martinsburg
- Culvert pipe replacements on John Street, Golden Road, and Snell Road
- Cut shoulders on 29.76 miles of road
- Maintenance work of ditching, trimming trees, and roadside mowing
- Assisted towns with shoulder application
- Continuing coordination with FEMA for the July 2024 storm
- Significant maintenance on Belfort Road, Cemetery Road, Norton Road bridges, as well as general maintenance on the remaining county bridges.
- Coordination with NYS DOT and Engineers on Marshey Road and Woodbattle Road bridges to be bid this fall for 2026 construction

- Continued planning for Village of Constableville Complete Streets project

They still need to begin the chip seal cold mix paving of Deer River Road and hot mix paving of Cemetery Road.

Legislator Moser, Chair of the Human Services Committee, reported that Governor Hochul has proclaimed August 2025 as Child Support Awareness Month. In 1975, 50 years ago, the NYS Child Support Program was established to ensure all parents contribute financially to their children's well-being and has since grown into an essential service that promotes responsible parental support and strengthens families. In 2024, the Lewis County Child Support unit collected and distributed \$3.5 million in child support payments for Lewis County children, reducing childhood poverty in our county. This month we recognize the child support professionals across the state and in Lewis County in fulfillment of their duties and who work hard to consistently provide outstanding customer service for the benefit of children and families.

Legislator Nortz, representative on the Lewis County Health System Board of Managers, reported that there was a gain of \$161,454 versus a budgeted gain of \$149,859 for the month of June. The YTD loss is \$1,830,569 versus a budgeted loss of \$753,511. Acute admissions were 77, or 4 below budget; Observations were 72, or 16 above budget; ER visits were 10 above budget; and Outpatient visits were below the budget by 73 visits. Mr. Robert Uttendorfsky is the Chief Information Security Officer effective July 21, 2025. He has spent the last 25 years as Director of Information Systems for the health system. His new position will be more of a "forward-looking position" and he looks forward to integrating new technologies and systems in the near future.

The Orthopedic and Podiatry expansion is underway for Dr. Ko who is planning on starting on September 1<sup>st</sup>. The ten LPN's that were hired through the Caring Gene initiative will begin their eight-week orientation process. The next LPN class will begin in September. On July 18<sup>th</sup> there was a change in command ceremony with Colonel Elizabeth Duque as the new Commander of the U.S. Army Medical Department Activity of Fort Drum, N.Y.

#### COUNTY MANAGER REPORT:

Tim Hunt reported that he has met with 80% of Departments on their 2026 budget requests. The Department of Social Services is going to be a bit of a challenge as the cuts in Federal Funding for programs and Medicaid will increase costs on the county. The budget should be pulled together with preliminary number by the middle of next week.

A reminder to Legislators that the Employee Appreciation Picnic is tomorrow at the Lewis County Fairgrounds beginning at 2:00 p.m. and hopefully most will be

able to make it. Naturally Lewis has invited all Legislators on the Vacant Properties Revitalization Tour which should be roughly a half day. The dates that were given are Thursday, August 21<sup>st</sup>; Tuesday, August 26<sup>th</sup>; or Wednesday, August 27<sup>th</sup>. No one had a preference on the date so an invite will be sent out with the date that was chosen.

REPORT OF THE FINANCE AND RULES COMMITTEE:

**RESOLUTION NO. 159 - 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 \$2,466,050.33 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Leviker, seconded by Legislator Nortz. Legislator Moser abstained due to possible conflicts.

The resolution was then adopted on the 5<sup>th</sup> day of August 2025 pursuant to the following roll call vote:

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

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 160 - 2025**  
**RESOLUTION AWARDING BID AND AUTHORIZING AN AGREEMENT**  
**WITH ROES LAWNCARE, LLC FOR SNOW PLOWING SERVICES AT 7714 NUMBER**  
**THREE ROAD FOR THE 2025-2026 SNOW SEASON**

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

WHEREAS, the Lewis County Buildings and Grounds Department recently sent out a Request for Proposals for snow removal services at 7714 Number Three Road, Lowville, NY identified in the RFP for the 2025-2026 snow season, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the Director of Buildings and Grounds, Clerk of the Board, and Purchasing Director were present on July 1, 2025 at 10:00 am to open two (2) bids received in response to the RFP; and

WHEREAS, after review and consideration of the proposals, in accordance with the specifications and scope of work set forth in the RFP, the Director of Buildings and Grounds recommends awarding the bid to Roes Lawncare, LLC, 5284 Jefferson Street, Lowville, NY 13367 the lowest bidder, at \$5,000.00 for snow removal and \$150/hr. for payloader and \$120/hr. for dump truck in accordance with specifications set forth in the RFP commencing September 1, 2025 through the spring, 2026, with the option to renew for an additional two (2) years; and

WHEREAS, the Board of Legislators seeks to award the bid to Roes Lawncare, LLC and authorizes an agreement for the specified services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes an Agreement with Roes Lawncare, LLC, 5284 Jefferson Street, Lowville, NY 13367 for snow removal and related services at 7714 Number Three Road, Lowville, NY for the 2025-2026 snow season, in accordance with the specifications and requirements set forth in the RFP.

Section 2. The Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with inclusion of any and all additional terms and conditions recommended by the County Attorney, at a cost of \$5,000.00 for snow and ice removal plus \$150/hr. payloader and \$120/hr. dump truck.

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 amendments thereto, upon review and approval by the County Attorney.

Section 4. The within resolution shall take effect immediately.

Moved by Legislator Kalamas, seconded by Legislator Nellenback, and adopted on the 5<sup>th</sup> day of August 2025.

**RESOLUTION NO. 161 - 2025**  
**RESOLUTION AWARDING BID AND AUTHORIZING AN AGREEMENT WITH**  
**JEFF KOSS CARPENTRY FOR SNOW PLOWING AND SUMMERTIME**  
**MAINTENANCE SERVICES AT THE NINE (9) 911 TOWER SITES**  
**FOR THE 2025-2026 SNOW AND SUMMER SEASONS**

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

WHEREAS, the Lewis County Buildings and Grounds Department recently sent out a Request for Proposals for snow removal and monthly summertime maintenance services at the nine (9) County tower sites, identified in the RFP as comprised in Regions 1 and 2, for the 2025-2026 snow and summer seasons, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the Director of Buildings and Grounds, Clerk of the Board, and Purchasing Director were present on July 1, 2025 at 10:00 am to open seven (7) bids received in response to the RFP; and

WHEREAS, after review and consideration of the proposals, in accordance with the specifications and scope of work set forth in the RFP, the Director of Buildings and Grounds recommends awarding the bid to Jeff Koss Carpentry, 6349 East Main Street, Turin, NY 13473 the lowest bidder, at \$33,000.00 for snow removal at all 9 sites, in accordance with specifications set forth in the RFP commencing October 1, 2025 through September 30, 2026; and

WHEREAS, the Board of Legislators seeks to award the bid to Jeff Koss Carpentry and authorizes an agreement for the specified services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes an Agreement with Jeff Koss Carpentry, 6349 East Main Street, Turin, NY 13473 for snow removal, summertime maintenance, and related services at all nine (9) 911 Tower Sites within Regions 1 & 2 for the 2025-2026 snow and summer seasons, in accordance with the specifications and requirements set forth in the RFP.

Section 2. The Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with inclusion of any and all additional terms and conditions recommended by the County Attorney, at a cost of \$33,000.00, payable in four (4) installments on November 1, 2025, April 1, 2026, June 1, 2026, and October 1, 2026.

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 amendments thereto, upon review and approval by the County Attorney.

Section 4. The within resolution shall take effect immediately.

Moved by Legislator Kalamas, seconded by Legislator Nellenback, and adopted on the 5<sup>th</sup> day of August 2025.

**RESOLUTION NO. 162 - 2025**  
**RESOLUTION APPOINTING REPUBLICAN**  
**COMMISSIONER OF ELECTIONS TO FILL UNEXPIRED TERM**

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

WHEREAS, Ann M. Nortz, the Republican Commissioner of Elections whose term expires December 31, 2026, has retired from service; and

WHEREAS, Lewis County Republican Committee Chair Michael Young has submitted a letter recommending the appointment of Ramona L. Carpenter to fill the unexpired term of the Republican Commissioner.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby appoints Ramona L. Carpenter of Lowville, NY as the Republican Commissioner of Elections to fill the unexpired term of Ann M. Nortz.

Section 2. The unexpired term of said appointment shall be effective from August 6, 2025 through December 31, 2026. Pursuant to NYS Election Law § 3-208, the salary for Ramona L. Carpenter shall be equal to the Democratic Commissioner's current salary.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Nortz, and adopted on the 5<sup>th</sup> day of August 2025.

**RESOLUTION NO. 163 - 2025**  
**RESOLUTION AWARDED BID AND AUTHORIZING AN AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND CGR TO CONDUCT A COMPREHENSIVE**  
**ASSESSMENT OF EMERGENCY MANAGEMENT SERVICE OPERATIONS AND**  
**THE PROVISION OF AMBUANCE SERVICE IN THE COUNTY**

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

WHEREAS, the County seeks to evaluate the adequacy of the existing EMS ambulance service in the county, to evaluate alternative service models, and to provide data-driven analysis of the current Emergency Management Service system to identify the best practices, gaps, and inefficiencies while also assessing alternative delivery models such as regionalization, and tiered response strategies; and

WHEREAS, the New York State Senate and Assembly passed new legislation mandating counties, in coordination with their regional emergency medical services councils, to develop and maintain comprehensive county emergency medical system plans that provide for coordinated emergency medical systems within such counties, and

WHEREAS, the EMS Ad Hoc Committee sent out a Request for Proposals to qualified and experienced firms to provide professional consultant services for optimizing the current EMS system to enhance efficiency, service quality, and long-term sustainability; and

WHEREAS, the County received thirteen (13) bids in response to the RFP, and opened the bids June 20, 2025, with the Directors of Planning and Community Development, Purchasing, and the EMS Ad Hoc Committee reviewing the bids and analyzing same in accordance with a scored criteria matrix, and recommends that the Board award the bid to the Center for Governmental Research, Inc. (CGR), 1 South Washington Street, Suite 400, Rochester, NY 14614, at a cost of \$ \$60,000; based upon the best interests of the County and the best score on the criteria scoring matrix developed by the reviewing team, including but not limited to specific experience, cost competitiveness, references and past performance, schedule and availability in accordance with the specifications and scope of work set forth in the RFP; and

WHEREAS, the Board of Legislators seeks to award the bid to CGR and authorize an agreement for the specified services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes an Agreement with CGR of Rochester, NY to provide professional consultation services to review data and evaluate the current EMS ambulance services in the County and evaluate alternative service models for cost effectiveness and efficiencies into the future with recommended development and an action plan creation in accordance with the specifications and scope of services outlined in the RFP and as mandated by NYS.

Section 2. The Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP, at a cost of \$60,000.00, to commence immediately upon full execution of an agreement and with final completion and delivery of a final report on or about December 31, 2025.

Section 3. The Board of Legislators authorizes the Treasurer to pay the cost of this contract and to transfer same from the Legislative Special Contingency Account to an appropriate account line under Emergency Management Services Department.

Section 4. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement and any extension thereto, pending review by the County Attorney.

Section 5. The within resolution shall take effect immediately.

Moved by Legislator Kalamas, seconded by Legislator Nellenback, and adopted on the 5<sup>th</sup> day of August 2025.

**RESOLUTION NO. 164 - 2025**  
**RESOLUTION ADOPTING CYBER INCIDENT RESPONSE PLAN**

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

WHEREAS, the Information Technology Director, in consultation with NYS Homeland Security and Emergency Services (DHSES), the County Manager, Human Resources Director, Clerk of the Board, and County Attorney developed and prepared a comprehensive Cyber Incident Response Plan (“Plan”) in the event of any cyber incidents and breaches; and

WHEREAS, the Plan provides for the county to have a rapid and efficient notification system and response to any cyber incidents in order to minimize damage, loss of data and systems, and to continue county functioning and services with the least disruption or interruption; and

WHEREAS, the Board of Legislators wishes to accept and adopt the Plan;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves and adopts the Cyber Incident Response Plan developed by Director of Information Technology in consultation with DHSES and the Lewis County administrative team.

Section 2. The Clerk of the Board and Director of IT are directed to maintain secure copies of the Plan, and to make the secure Plan available to administrative leaders and department managers as identified under the Plan.

Section 3. The within resolution shall take effect immediately.

Moved by Legislator Kalamas, seconded by Legislator Nellenback, and adopted on the 5<sup>th</sup> day of August 2025.

**RESOLUTION NO. 165 - 2025**  
**RESOLUTION ADOPTING MOBILE DEVICE SECURITY POLICY**

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

WHEREAS, the Information Technology Director, in consultation with the County Manager, Human Resources Director, Clerk of the Board, and County Attorney has developed an updated, comprehensive Mobile Device Security Policy, which is commonly followed in the public sector; and

WHEREAS, the policy is intended, *inter alia*, to safeguard county data from unauthorized access, to reduce the threats of sensitive data loss or leakage, and to be in legal compliance in order to support efficient and safe governmental operations; and

WHEREAS, the IT Director recommends that the Board of Legislators approve and adopt this policy; and

WHEREAS, the Board of Legislators wishes to accept and adopt said policies;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves and adopts the Mobile Device Security Policy presented by the Director of Information Technology.

Section 2. The Clerk of the Board is directed to add the policy to the administrative and employee handbooks, upon such form as may be approved by the County Attorney and Human Resource Director.

Section 3. The within resolution shall take effect immediately.

Moved by Legislator Kalamas, seconded by Legislator Nellenback, and adopted on the 5<sup>th</sup> day of August 2025.

**RESOLUTION NO. 166 - 2025**  
**RESOLUTION AWARDING BID AND AUTHORIZING CONTRACT BETWEEN**  
**THE COUNTY OF LEWIS AND ELITE EXCAVATING & DEMOLITION INC. FOR THE**  
**DEMOLITION AND REMOVAL OF BUILDING LOCATED AT 6314 WEST MAIN**  
**STREET IN THE VILLAGE OF TURIN**

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

WHEREAS, the Director of Planning and Community Development Department, in consultation with the Purchasing Department, sent out an RFP for the demolition and removal of a condemned structure located at 6314 West Main Street in the Village of Turin, as part of the recently awarded CDBG Imminent Threat Grant Program; and

WHEREAS, six (6) bid proposals were opened on July 9, 2025 at 2:30 pm. Planning Department staff and the Purchasing Director carefully reviewed the bid submissions and assessed the criteria. After careful consideration and review, this team recommends that the Board of Legislators award the bid and contract to Elite Excavating and Demolition Inc, 43 Kelly Road, Fulton NY 13069, to complete the RFP Tasks at a cost not to exceed \$24,750.00; and

WHEREAS, the Board of Legislators seeks to accept this recommendation and award the bid and contract to Elite Excavating and Demolition Inc. for this project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators awards the bid to and authorizes an agreement with Elite Excavating and Demolition Inc., 43 Kelly Road, Fulton, NY 13069, to complete the scope of work outlined in the demolition and removal RFP at a cost not to exceed \$24,750.00, as more fully set forth in their bid proposal.

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. The Treasurer is directed to pay for these services from the appropriated funds in the CDBG Imminent Threat Grant Award account.

Section 4. The within resolution shall take effect immediately.

Moved by Legislator Kalamas, seconded by Legislator Nellenback, and adopted on the 5<sup>th</sup> day of August 2025.

**RESOLUTION NO. 167 - 2025**  
**RESOLUTION AWARDED BID AND AUTHORIZING CONTRACT BETWEEN**  
**THE COUNTY OF LEWIS AND D&S EXCAVATING LLC TO REMOVE**  
**UNDERGROUND STORAGE TANK AT LYONS FALLS ELEMENTARY SCHOOL AS**  
**PART OF NY MAIN STREET FUNDED PROJECT**

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

WHEREAS, the Director of Planning and Community Development Department, in consultation with the Purchasing Department, sent out an RFP for the removal of the identified Underground Storage Tank (UST) located at the former Lyons Falls Elementary School property, as required under the NY Main Street Grant program; and

WHEREAS, seven (7) bid proposals were opened on July 25, 2025, at 2:00 pm. Planning Department staff and the Purchasing Director carefully reviewed the bid submissions and assessed the criteria. After careful consideration and review, this team recommends that the Board of Legislators award the bid and contract to D&S Excavating LLC, 106 Putnum Estate Drive, Frankfort, NY 13340, the lowest qualified bidder to complete the RFP tasks at a cost not to exceed \$43,000.00, with the project expected to conclude on or about October 31, 2025; and

WHEREAS, the Board of Legislators seeks to accept this recommendation and award the bid and contract to D&S Excavating LLC for this project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators awards the bid and authorizes an agreement with D&S Excavating LLC, 106 Putnum Estate Drive, Frankfort, NY 13340, to complete the scope of work outlined in the RFP on or about October 31, 2025, and as they presented in their bid proposal, at a cost not to exceed \$43,000.00. The costs of the awarded bid will be paid from the NY Main Street Grant Award.

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, modifications, upon review and approval by the County Attorney. The County Treasurer is authorized to appropriate the funds as needed.

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

Moved by Legislator Kalamas, seconded by Legislator Nellenback, and adopted on the 5<sup>th</sup> day of August 2025.

**LOCAL LAW (INTRODUCTORY NO. 6-2025)  
COUNTY OF LEWIS**

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

**A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 3-2022 -  
THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS  
ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY**

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

**SECTION 1. TITLE**

This Local Law shall be known as “**THE 2025 AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY WHERE THE TOWN HAS OPTED IN**”.

**SECTION 2. STATUTORY AUTHORITY**

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

**SECTION 3. LEGISLATIVE FINDINGS**

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

- A. Planned special events include but are not limited to sporting events, concerts, parades, walking & running events, bicycle races, & motorized vehicle events and rallies. These types of events can have direct and indirect impacts on county/town properties, roads, and trails. There are several events organized and held in Lewis County where county/town roads, county/town public rights-of-way, trails, parks, and lands are used for the event, or are adversely affected by the event activities because of road closure, traffic congestion, parking concerns, damage to town and county roads, etc.
  
- B. The occurrence of such events as described and defined herein may place an unwarranted burden on the County/Town resources related to the provision of emergency services, law enforcement, health and sanitary

services, road and property repairs, and similar items, depending upon the special event, its size, and the conduct of participants.

- C. The purpose of this law and the requirement for a permit and fee for same, is to enable the county and town to be able to anticipate the impacts posed by the event and to coordinate efforts of various departments and other municipalities which may be affected by the special event; to take appropriate steps and measures to provide for the safety of event participants and residents; and to provide for the least impact on the county and town roads, trails, and lands.
- D. When a person(s), corporation(s), organization(s), landowner(s), lessee(s) and others seek to conduct a special event on county roads and/or county property, town roads and/or town property of any town that opts into this law, provision must be made for adequate financial assurance to protect persons and property (both public and private) within the County. The Board of Legislators of Lewis County finds and declares that it is necessary for government protection, order, conduct, safety, health and well-being of persons and county/town property, that certain rules and regulations be established for special events involving county roads, trails, parks and other lands, as well as town roads and other town property of any town who opts into this law and, further, that it is necessary to adopt under the police power of the County, a local law to regulate and license by permit the holding of such special events on or effecting access and use of County or Town roads, trails, parks and other lands.

#### **SECTION 4. DEFINITIONS**

##### **FOR PURPOSES OF THIS LOCAL LAW:**

- A. The word “person” shall be deemed to include any person, persons, firm, company, corporation, partnership, association, club, limited liability company, limited liability partnership, joint venture, or other entity, owner or lessee of real property, promoter, sponsor, or any other group or organization whether formalized or not.
- B. The term “any town who opts in” shall mean a Lewis County Town that executes an Inter Municipal Agreement (IMA) with the County in which the Town agrees, *inter alia*, to adopt this Local Law for special events held on its town roads or other town property.
- C. “Special motorized event” shall mean any outdoor gathering of up to TWO

THOUSAND or more participants involving vehicles, motorcycles, ATV/OHVs, UTVs, snowmobiles, or other motorized equipment, or any combination thereof which involve:

1. Any gathering or organized event taking place on County roads, trails or other property which may interfere, impede or obstruct the flow of traffic or which does not comply with normal traffic regulations or controls; or
  2. Any event intended to include and/or to take place on the Lewis County ATV/OHV Trail System.
  3. Any gathering or organized event taking place on an opted-in Town road, trail or other property which may interfere, impede or obstruct the flow of traffic or which does not comply with normal traffic regulations or controls.
  4. Any snowmobile event(s) held on private property will require a permit where the event may interfere, impede or obstruct the flow of traffic or which does not comply with normal traffic regulations or controls on County roads or opted-in town roads; or where the snowmobile activity or event on private property may result in damage to County roads or lands or roads and lands of opted-in towns; or where the snowmobile activity or event requires placement of signage or pavement markings on County roads or town roads for towns who have opted into this law.
- D. "Special non-motorized event" shall mean gatherings of TWO HUNDRED FIFTY (250) or more persons and their activities on county-owned or opted-in town-owned roads, trails or other properties.

## **SECTION 5. PERMITS**

- A. No person may organize, operate, promote, or conduct a special event as defined above on a County or opted-in Town road, trail, park or other land in Lewis County, without first obtaining an event permit to do so from the Lewis County Director of Recreation, Forestry and Parks (DRFP).
- B. All ATV/OHV motorized events requiring a permit under this Local Law shall also require all riders in the event to have or to purchase an appropriate ATV/OHV permit in order to participate. The sponsor/organizer/promoter shall be required to inform all registrants of the requirement for a Lewis County ATV/OHV permit in order to participate.

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

## **SECTION 6. PERMIT APPLICATION PROCESS AND FEE**

- A. All event applications shall be made to the Lewis County Director of Recreation, Forestry and Parks (DRFP), by the person(s) sponsoring or running the event involving County and/or opted-in Town roads, trails, park or other lands, or by the duly authorized agent or attorney thereof. The appropriate application fee, if required, as set forth in the fee schedule in effect for said event permit, must be submitted with the application along with all the other documentation required therein. No action will be taken upon any application until it is deemed complete by the Director of Recreation, Forestry & Parks, in consultation with the appropriate County and opted-in Town Departments.
- B.
  - 1. The non-refundable application fee charged for a special event permit shall be in accordance with the fee schedule set forth under Section 10 of this Local Law, or as may be amended from time to time, by Resolution adopted by the Lewis County Board of Legislators.
  - 2. A permit application fee shall not be required for any special event that is otherwise licensed, sponsored or organized in whole or in part by the County or opted-in Town, or any other municipal government located within the County; but said municipality shall submit an application for the event.
  - 3. The County Director of Recreation, Forestry & Parks will have the discretion to waive the requirement of a permit fee depending upon the nature of the event (parade, wedding, etc.), consistent with the purpose of this local law and permit process, which is to have County and local towns know when there are events which can cause disruption, safety concerns, and potential damage to life and property, with the need for emergency services.
- C. The application for a permit hereunder shall be made in writing upon such form or forms as may be crafted by the DRFP and shall be submitted to the DRFP at least sixty (60) or more days prior to the first day such special event is anticipated to be held. Such application shall include the following information:

1. The applicant's name, age, and residence address; if the applicant is a corporation, partnership or association, the name of the entity, address for its principal office, together with the names and addresses of its directors, partners or associates. If the applicant is not a resident of or does not have a place of business within Lewis County, the name of a natural person, over the age of eighteen (18) years of age who resides within Lewis County and who is authorized by the applicant, and who shall agree by acknowledged statement to accept service of notices and summons on behalf of the applicant with respect to this event application with respect to the conduct of the outdoor event or any other matter relating to the enforcement relating to the event under this Local Law;
  2. The proposed dates and hours of operation of the special event, and a description of the event;
  3. The expected minimum and maximum number of persons and vehicles/other equipment, if any, per day of the event to use the roads and/or property(s), if any, per day and collectively;
  4. A description of the purpose for the special event and the activities to take place thereat, including without limitation, concessions, entertainment, vehicles, equipment, etc.;
  5. The admission/participation fee to be charged, if any.
- D. 1. After careful review and consultation with other County and/or Town Departments as may be required, the DRFP shall determine whether the permit application will be approved or denied. The DRFP shall communicate her decision on the application in writing, by issuing a permit with any and all conditions to which the applicant may be required to meet prior to and during the event. If denied, the DRFP shall indicate the reason for such denial.
2. Simultaneously with notification of approval/denial of a permit to the applicant, the DRFP shall notify the County Manager, Board of Legislators, any appropriate County Departments, and any appropriate Town Supervisor and Highway Supervisor of the special event permit issued/denied, including any conditions and information on the type of event, date, location, estimated size, and any other relevant information.
- E. 1. If the applicant has insurance for the event, the applicant shall provide all

information pertaining to the type and amount of insurance coverage. The applicant may be required to have the County and any opted-in town be named as an additional insured.

2. Any motorized event expecting 2,000 or more attendees/participants, shall require the applicant to have insurance as set forth in Section 7. In addition, such events shall be required to comply with any and all other applicable State and Local Laws, [including but not limited to NYS Department of Health rules and regulations pertaining to mass gatherings (assembly of 5,000 people or more), Public Health Law §225, and Lewis County Local Law No. 2- 1970 (mass assembly of 10,000 people or more)], with the application reviewed and approved by the Public Health Director, Emergency Management Director, Lewis County Sheriff, Superintendent of Highways, and any other relevant County and/or Town Department(s) requested by the DRFP.

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

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

## **SECTION 7. LIMITATIONS OF LIABILITY, CONDITIONS OF USE AND INSURANCE REQUIREMENTS**

A. Neither the County nor any opted-in Town affirms that the County-owned or Town-owned Road/trail/site/property affected by or used for the special event has been designed, constructed, or maintained for the purpose of the activity/conduct of the event. The application shall state that the applicant and all its participants assume full risk and responsibility for the event and shall hold the County/ Opted-in Town harmless with respect to any claim by the event applicant(s) and its participants. The applicant(s) and its participants assume full risk and responsibility for planning and conducting

a safe and orderly event that does not expose participants or the public to any unreasonable hazards, with minimal disruption to normal uses of the roads, trail system and municipal properties. It shall be the sole obligation of the applicant to determine whether the county and/or town site(s) is/are suitable for the purpose of safely conducting the event.

- B. The applicant shall exercise due care in its use of the municipal property and shall upon the expiration, termination or cancellation of the issued permit, surrender the municipal property/site in as good a condition as on the effective date of the permit. Depending upon the nature of the event and the anticipated number of participants, the issuance of a permit may be conditioned upon an undertaking, bond or guaranteed deposit, to guarantee restoration of the municipal property(s) to its previous condition.
- C. The applicant/permittee agrees to notify the DRFP or any other municipal official designated to receive notification about any hazardous or unsafe conditions, and about any accidents that occur during the event immediately upon the discovery of such condition or accident.
- D. At the time a permit is issued, the DRFP shall provide the applicant/permittee with a statement of responsibilities and obligations of the Applicant/Permittee. Said statement shall be signed by the applicant/permittee and returned to the DRFP forthwith. The statement of responsibilities and obligations shall include insurance requirements, if required under this local law together with such other itemized responsibilities the DRFP may deem appropriate for the event. If insurance is required, the applicant/permittee shall provide the DRFP with proof of insurance prior to the commencement of the event and any certificate of insurance endorsement which may be required. Said insurance requirement may include but not be limited to the following coverage, if applicable:
  - 1. Workers' Compensation and Disability Insurance as required by New York State for any and all employees, if applicable.
  - 2. Commercial General Liability Insurance. The applicant shall maintain an occurrence form of commercial liability policy or policies insurance against liability from premises, personal injury or death, advertising injury, liability under an insured contract, negligence, occurring on or in any way related to the premises or occasioned by reason of the operations of the applicant. Such coverage shall be written on an ISO occurrence form (CG 0001 12 07 or equivalent) in an amount not less than \$1,000,000.00 per occurrence and not less than \$2,000,000.00 aggregate. The insurance must be endorsed to provide primary insured

coverage to the County of Lewis and all of its Departments, and any other Town who has opted into this local law wherein the event is occurring, and any other local municipality in which the event is conducted.

3. Automobile and/or other motorized vehicle insurance. The applicant shall maintain automobile, other vehicle and equipment policy(s) insurance against liability for bodily injury, death, damage to property and other coverages relating to the use, operation, loading or unloading of any automobiles, motorized vehicles and other equipment on and around the event site, in an amount not less than \$1,000,000.00.
  4. If the event involves motorized vehicles (autos, ATVs, UTVs, motorcycles, motorbikes, snowmobiles, etc.) with an estimate of 2000 or more participants, it is the applicant/permittees' responsibility to ensure that all participants' motorized vehicles are properly licensed, registered and insured, as may be required under the law. Any ATV/OHV events require each ATV/OHV vehicle to have a current Lewis County ATV/OHV permit.
- E. The applicant/event permittee agrees to defend, indemnify and hold harmless the County of Lewis, and its agents and any opted-in Town effected by an event from and against any and all claims, damages, losses and expenses, including but not limited to attorneys' fees, road damage, personal injury, property damage or wrongful death arising out of any claim associated in any way with the applicant's or participants' event and use of the permitted site/property, no matter how caused. The County and Town make no representations as to the condition of the property for the use intended by the event participants and organizers.
- F. The DRFP, (in consultation with the County Manager, County Attorney, County Superintendent of Highways and any other appropriate and relevant municipal official) will have the discretion to determine whether or not there is a need for insurance based upon the type and size of the event, and/or may determine to adjust the required insurance coverages and amounts, depending upon the nature of the event, i.e., activities, size, duration.
- G. For any motorized event, regardless of its size or requirement for insurance under this Local Law, the applicant and sponsors of a motorized event shall be required to execute a waiver of liability/assumption of risk and have each of their participants execute a similar form for the benefit of the County and any opted in Town.

## **SECTION 8. PENALTIES FOR NON-COMPLIANCE AND ENFORCEMENT**

- A. If the County determines, through its lawful agent(s) and designees, that any of the items required as conditions under the permit are not adhered to or have not been accomplished within the required time limits, the conditional permit may be immediately terminated by action of the DRFP, after notification to the County Manager, Board of Legislators, and the appropriate Opted-in Town Supervisor. Notice of such termination shall be in writing and delivered to the applicant at the mail address and e-mail address set forth in the application.
- B. 1. Any person (as defined in this Local Law) who shall organize, promote, conduct or cause to be conducted a special event on County roads, trails, or other county property and/or on opted-in Town roads, trails, or other town property as defined in this Local Law, without having a written permit in accordance with the provisions of this law shall be deemed to have violated this Local Law.
2. Any person holding an event and failing to apply for an event permit shall be subject to a civil penalty, enforceable and collectible by the County of Lewis, in any court of competent jurisdiction within the County of Lewis as follows:
- a. In the amount of \$50.00 to \$500.00 for holding a non-motorized event with 250 or more participants, depending upon the nature, size, location and municipalities involved.
  - b. In the amount of \$500.00 - \$1,000.00, plus an additional \$5.00 per participant for holding a motorized event, depending upon the nature, size, location and municipalities involved. The \$5.00/per participant fine fee for failure to obtain the permit will be deposited into a special fund for distribution among participating municipalities affected by the event, pursuant to the terms of the IMA.
3. Any person and/or participant in a special motorized event who rides outside of the designated travel areas for the event on a County or Town road/trail/property (*for example*, riding on the road shoulder, drainage ditches, etc.) shall incur a fine of \$1,000.00, plus incur the costs and expenses of repairing any damage to the property.
4. In addition to the above penalty(s), the County of Lewis or a Town who has opted into this local law, who is directly adversely affected by the special event, may maintain an action or proceeding in a Court of competent

jurisdiction to compel compliance with or to restrain by injunction, the violation(s) of this local law, and to seek recovery of any and all damages incurred as a result of noncompliance with this local law.

### **SECTION 9. SEPARABILITY**

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

### **SECTION 10. FEE SCHEDULE**

A permit application fee of \$ 20.00\*\*, made payable to Lewis County, shall apply, unless waived by the Director of Recreation, Forestry & Parks, in her sole discretion. This permit fee amount will remain in effect until amended by the Lewis County Board of Legislators by an adopted Resolution.

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

### **SECTION 11. EFFECTIVE DATE**

- A. This Local Law amends and replaces Local Law No. 3-2022.
- B. This Local Law shall become effective immediately after filing with the office of the New York Secretary of State.

**RESOLUTION NO. 168 - 2025**  
**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW**  
**(INTRODUCTORY NO. 6-2025), COUNTY OF LEWIS**

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

WHEREAS, a proposed Local Law entitled “THE AMENDED LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY AND ON ANY TOWN ROADS AND PROPERTY WHERE THE TOWN HAS OPTED IN” was presented and introduced at a meeting of this Board of Legislators held on August 5, 2025;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. A public hearing will be held on September 2, 2025, at 5:00 p.m. before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

Section 2. 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 Leviker, seconded by Legislator Moroughan.

County Attorney Joan McNichol stated that there was a minor error in the Local Law which will be fixed before the public hearing and that is in Section 4, subsection C, in the first line the words “up to” will be removed.

The resolution was then adopted on the 5<sup>th</sup> day of August 2025.

**RESOLUTION NO. 169 - 2025**  
**RESOLUTION AUTHORIZING SNOWMOBILE TRAIL 2025-2026**  
**GRANT-IN-AID APPLICATION AND GRANT AGREEMENT CONDITIONS TO THE**  
**OFFICE OF PARKS, RECREATION & HISTORIC PRESERVATION FOR TRAIL**  
**MAINTENANCE EXPENSES IN LEWIS COUNTY**

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

WHEREAS, the NYS Office of Parks, Recreation & Historic Preservation (OPRHP) provides grant-in-aid financial assistance in maintaining snowmobile trails included in the statewide trail system upon submission of an application and an agreement to the conditional terms of the Grant by the Local Sponsor/Authorized Local Official; and

WHEREAS, under this grant, if funds are sufficient (accumulated in the Statewide Trail Fund based upon projected registrations), the County, as the Local Sponsor Applicant, may receive a sum not to exceed the prorated amount based upon total trail mileage in the County previously established by OPRHP; and

WHEREAS, the application requires that the authorized Official for the County of Lewis execute the conditions of the grant agreement and certify that grant funds received will be managed and expended in accordance with the applicable laws, regulations and program guidelines for submission to the OPRHP Director of the program. The Director of Recreation, Forestry and Parks filled out the grant application and requests the Board authorize the Chairman to execute same and the conditions of the grant agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators authorizes the submission of the 2025-2026 Snowmobile Trail Grant-In-Aid Program Application through the Director of Recreation, Forestry & Parks.

Section 2. The Board of Legislators authorizes the Chair of the Board to execute the Local Sponsor Signature Form Application, the Conditions of the Grant Agreement, and any other documents related to same. If awarded grant funds, the Board hereby authorizes the Treasurer as the County's Chief Fiscal Officer, to execute the state aid voucher required to accept and receive such funding and to disburse the funds in accordance with the grant program requirements.

Section 3. The within resolution shall take effect immediately.

Moved by Legislator Kalamas, seconded by Legislator Nellenback, and adopted on the 5<sup>th</sup> day of August 2025.

**RESOLUTION NO. 170 - 2025**  
**RESOLUTION AMENDING INVESTMENT POLICY & GUIDELINES**  
**FOR THE COUNTY OF LEWIS**

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

WHEREAS, pursuant to Resolution No. 369-2020, the Board of Legislators adopted the "Investment Policy & Guidelines for Lewis County" and amended same pursuant to Resolution No. 333-2021 in accordance with changes in state law; and

WHEREAS, the County Treasurer, after consultation with and recommendations from Three Plus One, the investment adviser, has proposed revisions to the policy to ensure better investment practices as more fully set forth in the proposed Amended Investment Policy & Guidelines which he recommends that the Board of Legislators accept and approve;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby adopts the attached Amended Investment Policy & Guidelines.

Section 2. The Board of Legislators directs the Clerk of the Board to add this amended policy to the Administrative Manual and any other appropriate manuals, and to distribute same to the Lewis County Department Heads.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator Kalamas, seconded by Legislator Nellenback, and adopted on the 5<sup>th</sup> day of August 2025.

**INVESTMENT POLICY & GUIDELINES**

**FOR**

**Lewis County, NY**

Revised July 2025

## **I. SCOPE**

This investment policy applies to all moneys and other financial resources available for deposit and investment by Lewis County (“the County”) on its own behalf or on behalf of any other entity or individual. This policy is adopted and pursuant to and in compliance with Articles 2 and 3-A of the New York State General Municipal Law (GML)—including but not limited to Sections 10, 11, and 39—as well as all applicable federal and state regulations.

## **II. OBJECTIVES**

Consistent with GML §§10 and 11, and in alignment with the Government Finance Officers Association (GFOA)’s recommended best practices, the primary objectives of the County investment activities are, in priority order:

- To conform with all applicable federal, State and other legal requirements (legality);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity) and
- To obtain a reasonable rate of return (yield).

To appropriately meet these objectives, the County will structure its investment decisions according to the maturity horizons of its funds, which are continually evaluated through a liquidity analysis of both historical and projected cash flows..

## **III. DELEGATION OF AUTHORITY**

### **1. Designation of Finance Official**

- a. The Finance Official (e.g., County Treasurer or Chief Fiscal Officer) is designated as the Investment Officer responsible for the administration of the investment program. The Investment Officer shall:
  - i. Establish written procedures for the operation of the investment program consistent with this Policy.
  - ii. Maintain internal controls to ensure deposits and investments are recorded properly and are in compliance with relevant statutes, regulations, and policies.

### **2. Training & Continuing Education**

- a. In keeping with GFOA recommendations, the Finance Official and all staff involved in investment activities should, where practicable, pursue periodic training or continuing professional education regarding investment best practices, internal controls, and pertinent State and federal regulations.

## **IV. PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County to govern effectively.

Investments shall be made with the same prudence and care that knowledgeable and prudent persons would exercise under similar circumstances, with the primary objective of safeguarding principal over speculation. All participants involved in the investment process shall refrain from personal business activity that conflicts with the proper execution of the investment program or impairs their ability to make impartial investment decisions..

## **V. DIVERSIFICATION**

It is the policy of the County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling. The Finance Official shall establish the appropriate limits for the aggregate amount of investments which can be made with each financial institution or dealer, in accordance with GML and best practices on concentration of credit risk and shall evaluate this listing and amount at least annually.

## **VI. INTERNAL CONTROLS**

It is the policy of the County for all funds collected by any officer or employee of the government to transfer those funds to the Treasurer's office within ten days of receipt, or within the time period specified in law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that:

- Deposits and investments are safeguarded against loss from unauthorized use or disposition,
- Transactions are executed in accordance with management's authorization
- Transactions are properly recorded
- The County is in compliance with applicable laws, regulations, and best practices.

These procedures shall be subject to periodic review by internal or external auditors, in accordance with GML §39 and GFOA guidance regarding periodic independent reviews.

## **VII. SECURING DEPOSITS AND INVESTMENTS**

Consistent with GML §§10 and 11, all deposits and investments—demand deposits, certificates of deposit, and special time deposits (hereinafter, collectively, “deposits”)—in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, including pursuant to a Deposit Placement Program in accordance with law, must be secured by one or more of the following (to the extent permitted by law):

1. A pledge of “eligible securities” with an aggregate “market value” (as provided by New York State Law in appendix A) that is at least equal to the aggregate amount of deposits.
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within New York State at the bank or trust company.
3. An “eligible surety bond” payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least

- two nationally recognized statistical rating organizations. The BOL as the governing board shall approve the terms and conditions of the surety bond.
4. An “eligible letter of credit,” payable to the County as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An “eligible letter of credit” shall be an irrevocable letter of credit issued in favor of the County, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company’s commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.
  5. An “irrevocable letter of credit” issued in favor of the County by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

### **VIII. COLLATERALIZATION AND SAFEKEEPING**

Eligible securities pledged as collateral for the County’s deposits must be held by the County’s custodial bank or trust company, in accordance with written security and custodial agreements.

- a. The security agreement must:
  - i. **Define the collateral pledge:** The agreement shall state that the pledged securities (or a pro rata portion of a pool of eligible securities) are being pledged exclusively to secure the County’s deposits, including any interest and associated costs.
  - ii. **Specify conditions for collateral disposition:** The agreement shall outline the conditions under which the securities may be sold, substituted, or released and describe events of default that would enable the County to exercise its rights against the pledged securities.
  - iii. **Require ongoing monitoring:** The pledged securities must be revalued periodically to ensure that their market value remains at least equal to the required collateralization level as defined in GML §10(3)(a).

**Guarantee a perfected security interest:** If the pledged securities are not registered or inscribed in the County’s name, they must be delivered in a form suitable for transfer, with an assignment in blank to the County or its custodial bank.

- b. The custodial agreement shall ensure that:

- i. Segregation of Securities: Pledged securities must be held separately from the general assets of the custodial bank or trust company. They cannot be commingled with or used to secure any other obligations.
- ii. Proper Recording and Tracking: The custodial bank must maintain clear records at all times, showing that the County holds a perfected security interest in the pledged securities or a pro rata portion of a collateral pool.
- iii. Confirmation of Transactions:
  1. The custodian must confirm in writing all deposits, substitutions, or releases of collateral.
  2. Any replacement or substitution of collateral must be of equal or greater market value and meet the eligibility criteria outlined in Schedule A of this policy.
- iv. Book-Entry System Compliance:
  1. If pledged securities are transferred electronically, the custodial records must indicate that the County has an undisputed and secured interest in those securities.
  2. When securities are transferred through a Federal Reserve Bank or other regulated book-entry system, the custodian must provide documentation verifying the County's perfected interest.

## **IX. PERMITTED INVESTMENTS**

As provided by General Municipal Law Section 11, the County's governing body (BOL) authorizes the Finance Officer to invest funds not required for immediate expenditure for terms not to exceed its projected liquidity and cash flow needs in the following types of investments:

1. Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in New York State;
2. Certificates of deposit through a Deposit Placement Program, certificates of deposit in one or more "banking institutions", as defined in Banking Law Section 9-r;
3. Obligations of the United States of America (US Treasury bills, notes or bonds);
4. Obligations guaranteed by agencies of the United States of America, where the principal and interest are guaranteed by the United States of America;
5. Obligations of the State;
6. , Obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State other than the County, with the approval of the State Comptroller;
7. General obligation bonds and notes of any state other than New York State, provided that such bonds and notes receive the highest rating of at least one independent rating agency designated by the state comptroller.
8. Corporate obligations maturing within 270 days may be invested if they have received the highest rating from two independent rating services designated by the

State Comptroller and have maintained such ratings for the past six months with a limit of \$250 million per corporation. Exceptions apply if the issuer:

- a. Recently obtained the highest rating and is a successor or wholly-owned subsidiary of a previously rated entity, or
  - b. Resulted from a merger where at least one merging entity maintained the required rating for the past six months.
9. Bankers' acceptances maturing within 270 days that are eligible for purchase by Federal Reserve Banks and that meet the rating and amount limit criteria of clause (8).
  10. Obligations of, or instruments issued by or fully guaranteed by U.S. agencies or instrumentalities authorized by U.S. Congress (e.g., Federal Home Loan Banks) provided, however, that no more than \$250 million dollars may be invested per agency. No-load money market mutual funds registered under the Securities Act of 1933, as amended, and operated in accordance with Rule 2a-7 of the Investment Company Act of 1940, as amended, consisting exclusively of obligations of the U.S. or its agencies, rated in the highest category by at least one nationally recognized statistical rating organization, and limited to \$250 million dollars in such funds.
  11. Cooperative investment agreements with other authorized municipal corporations, as permitted by §§Article 5-G and of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law. These Cooperative investment agreements are also referred to as Local Government Investment Pools and in New York by the trade names New York MuniTrust, NYCLASS and NYLAF.

All investment obligations shall be payable or redeemable at the option of the County within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the County within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained and shall be secured as provided in Sections VII and VIII herein.

Unless stated otherwise in a contract with bondholders or noteholders, The County may commingle funds for investment purposes, provided that each investment remains redeemable when needed to meet expenditures as specified in GML §11. The separate identity of the sources of these funds shall be maintained at all times, and income received shall be credited on a pro rata basis to the fund or account from which the funds were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

## **X. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

All financial institutions and brokers/dealers with which The County transacts business must be reputable, creditworthy, and have experience with municipal funds. The Finance Official will:

1. Maintain a list of approved financial institutions and dealers, establishing limits on the aggregate amount of investment placed with each.

Review these approved institutions annually, at minimum, for continued compliance with the County's credit, capitalization, and experience requirements.

## **XI. PURCHASE OF INVESTMENTS**

The Finance Official is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. Through a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to, and held in the custody of a bank or trust company. Transactions involving these obligations—such as purchases, sales, redemptions, or payments—require prior written authorization from the designated investment officer and must be confirmed in writing by the bank or trust company.

Any obligation held by a custodial bank or trust company must comply with a written custodial agreement per GML §10(3)(a). This agreement must ensure that:

- Securities are held separately from the bank's general assets and cannot be commingled with other deposits or liabilities.
- The custodian confirms all transactions related to the receipt, substitution, or release of securities.
- The County maintains a perfected security interest in its investments.

The Finance Official, where authorized, can direct the bank or trust company to register and hold the investments in the name of its nominee or may deposit them with a federal reserve bank or other federally regulated book-entry system. In all cases, the records must clearly reflect the County's ownership, and the bank or trust company remains fully liable for any losses caused by the nominee's actions.

## **XII. DEFINITIONS**

The terms "public funds," "public deposits," "bank," "trust company," "eligible securities," "eligible surety bond," and "eligible letter of credit" shall have the same meanings as set forth in General Municipal Law Section 10.

### **XIII. ANNUAL REVIEW AND REPORTING**

#### **1. Annual Review of Policy**

- a. Pursuant to GML §39, this Policy and any related written procedures shall be reviewed at least annually by the County's governing body.  
Amendments may be made as deemed necessary and shall be adopted by a resolution of the governing body.

#### **2. Periodic Reporting**

- a. The Finance Official shall prepare regular investment reports (e.g., monthly or quarterly) for the governing body in accordance with GFOA guidelines. These reports should include a description of each investment, its current market value (when appropriate), interest earned, and any gains or losses.
- b. Annually, the Finance Official shall submit a comprehensive report on the County's investment program, summarizing overall performance, internal controls, and compliance with this Policy.

#### **3. Audit or Independent Review**

- a. The County's investments and investment procedures are subject to audit or independent review in accordance with GML §39, as well as general GFOA recommendations on independent audits of internal controls and investment activities.

### **XIV. EFFECTIVE DATE**

This revised Policy shall take effect immediately upon approval by the County's governing body and shall remain in effect until otherwise amended or replaced.

## Appendix A

Schedule of Eligible Securities for Collateralizing Deposits and Investments in Excess of FDIC Coverage (see Investment Policy, Section VIII and IX):

*[Note: This is not a list of Permitted Investments. Please see Investment Policy, Section IX, for Permitted Investments. Moreover, this list is for purposes of illustration only. Governing boards, in the exercise of their prudent discretion, must determine which types of eligible securities, authorized by law, to list as permitted.]*

“Eligible Securities” for Collateral	For purposes of determining aggregate “market value,” eligible securities shall be valued at these percentages of “market value”:
(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government-sponsored corporation.	100%
(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank and the African Development Bank.	100%
(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.	100%
(iv) Obligations issued or fully insured or guaranteed by the State, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.	100%
(v) Obligations issued by states (other than the State) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.	80%
(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.	70%
(x) Commercial paper and bankers’ acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.	80%
(xi) Zero-coupon obligations of the United States government marketed as “Treasury STRIPS.”	80%

**RESOLUTION NO. 171 - 2025**  
**RESOLUTION AUTHORIZING WITHDRAWAL OF DELINQUENT TAX**  
**FORECLOSURE PARCELS IN TOWN OF NEW BREMEN AND VILLAGE OF PORT**  
**LEYDEN FOR COUNTY PURPOSES**

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

WHEREAS, Real Property Tax Law Section 1166 (RPTL §1166) authorizes the County to sell and convey real property it acquires by virtue of a foreclosure proceeding brought pursuant to Article 11 of the RPTL upon approval by a majority of the governing body; and

WHEREAS, the County became vested with the title to Tax Map Parcel No. 164.00-01-24.000, 8401 Erie Canal Road, Town of New Bremen, New York, by judgment dated July 25, 2025, as a result of the County's tax foreclosure proceeding for delinquent taxes on properties owing for 2022, 2023 & 2024; and

WHEREAS, the County became vested with the title to Tax Map Parcel No. 353.12-02-19.000, 3302 Douglas Street, Village of Port Leyden, Town of Leyden as a result of the 2023 auction bidder's failure to complete the tax foreclosure sale in August, 2023; and

WHEREAS, pursuant to Local Law 6-2004, the County Board of Legislators may exercise its discretion on a case-by-case basis to withdraw a parcel from a tax auction for county purposes and best interests, and to subsequently sell a delinquent tax foreclosed property by individual/private sale instead of by public auction upon board resolution, based upon best interest of the County, and after consideration of the recommendation of the Real Property Advisory Board (RPAB); and

WHEREAS, the above identified Eric Canal Road parcel has a camp at the northeast corner of the property along Erie Canal Road, sandwiched between two waterways which cross under Erie Canal Road. The County and Town are engaged in Bridge NY projects at this site. Work on and near the bridges require access to this property, especially the part of the parcel where this camp and its out buildings are located. The Highway Superintendent has requested that the County retain ownership of the parcel if not repurchased to aid in the bridge projects adjacent to the parcel. The County Attorney supports the request and suggests that the County can consider a division of the parcel to offer the larger portion of the vacant parcel for auction in subsequent years; and

WHEREAS, the above identified Douglas Street, Port Leyden property is a condemned structure which the Planning Department was able to secure grant funds to assist in demolition costs while under the County's ownership by foreclosure

judgment. It is the intention of the County have this unsafe structure demolished and the parcel marketed for sale; and

WHEREAS, the RPAB recommends these withdrawals from the August 20, 2025 scheduled tax auction for the aforesaid reasons;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Lewis County Board of Legislators hereby approves and authorizes the withdrawal of the delinquent tax parcels from the 2025 tax auction, i.e., 8401 Erie Canal Road, Tax Map Parcel No.: 164.00-01-24.000, New Bremen, County of Lewis and 3302 Douglas Street, Tax Map Parcel No. 353.12-02-19.000, Village of Port Leyden, Town of Leyden, County of Lewis. Both parcels are subject to public purposes of benefit to the County and Towns as hereinabove set forth.

Section 2. The Lewis County Treasurer is directed to withdraw/remove these parcels from the tax auction scheduled for August 20, 2025, subject to an owner's right to repurchase on or before August 12, 2025.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Nellenback, and adopted on the 5<sup>th</sup> day of August 2025.

## OTHER BUSINESS:

Legislator Kalamas took a moment to recognize Lauryn Tabolt for her exceptional work on the Lewis County Solar project. She has a great handle on the entire project and is making sure we are getting the credits.

At 5:22 p.m. Legislator Osborne moved to enter into executive session for discussion on contract negotiations, seconded by Legislator Nellenback, and carried.

At 6:03 p.m. Legislator Nortz moved to enter regular session, seconded by Legislator Nellenback, and carried.

There being no other business to come before the Board, Legislator Frost moved to adjourn the meeting at 6:04 p.m., seconded by Legislator Osborne, and carried.