



OFFICE OF THE BOARD OF
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Cassandra Moser
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TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: November 3, 2023

The Board of Legislators will meet on **Tuesday, November 7, 2023 at 5:00 p.m.** for the regular monthly meeting which will be held in the Legislative Board Chambers at the Courthouse in Lowville, NY. Enclosed are proposed resolutions for action. Any other business may be conducted.

There will be public hearings on the following:

- Local Law No. 1-2023 “Local Law to Authorize Overriding the Tax Levy Limit Established by General Municipal Law §3-C (A/K/A 2% Tax Cap) for the Lewis County 2024 Budget”
- Local Law No. 2-2023 “Local Law of the County of Lewis Providing Partial Real Property Tax Exemptions for Volunteer Firefighters and Ambulance Workers Pursuant to Section 466-A of the Real Property Tax Law”
- Lewis County 2024 Shared Services Plan
- Unsafe Structure located at 6314 East Main Street, Village of Turin

The meetings will be streamed live on the YouTube channel “Lewis County” listed as:

<https://www.youtube.com/c/LewisCountyNY>

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Lewis County is an equal opportunity provider and employer. Complaints of discrimination should be made known to the Lewis County Board of Legislators.

RESOLUTION NO. 197 - 2023

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 \$6,302,035.20 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 __, seconded by Legislator __, and adopted pursuant to the following roll call vote:

AYES:

NAYS:

ABSENT:

RESOLUTION NO. 198 - 2023

**RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 1 – 2023, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on October 3, 2023, directing that a public hearing be held by said Board on November 7, 2023, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled “LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2024 BUDGET” and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on November 1, 2023, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 1 – 2023), County of Lewis, being “LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2024 BUDGET”, be and the same hereby is designated as Local Law No. 1–2023, County of Lewis.

Section 2. That Local Law No. 1–2023, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator __, seconded by Legislator __, and adopted pursuant to the following roll call vote:

AYES:

NAYS:

ABSENT:

RESOLUTION NO. 199 - 2023

**RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2-2023, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on October 3, 2023 directing that a public hearing be held by said Board on November 7, 2023, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "A LOCAL LAW OF THE COUNTY OF LEWIS PROVIDING PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County on November 1, 2023, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. This Local Law (Introductory No. 2-2023), County of Lewis, being "A LOCAL LAW OF THE COUNTY OF LEWIS PROVIDING PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW" be and the same hereby is designated as Local Law No. 2-2023, County of Lewis.

Section 2. That Local Law No. 2-2023, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator ___, seconded by Legislator ___, and adopted pursuant to the following roll call vote:

AYES:

NAYS:

ABSENT:

RESOLUTION NO. 200 – 2023

**RESOLUTION DIRECTING THE DEMOLITION AND REMOVAL
OF AN UNSAFE BUILDING PURSUANT TO LOCAL LAW NO. 2-2007,
(VILLAGE OF TURIN)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2–2007, entitled, “A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES,” (herein “Unsafe Building Law”), the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of such Local Law, the Lewis County Code Enforcement Officer conducted an investigation of the premises known Tax Map No. 321.15-01-11.000, currently owned by Ignacio Ahumada, and determined that the structure is unsafe and issued a report to the Board of Legislators on July 24, 2023; and

WHEREAS, the Code Enforcement Officer reported that the structure is a residential structure located at 6314 East Main Street, Village of Turin, which has been abandoned, unsecured, has foundational damage, and structural damage to the roof. Overall, the building is damaged and dilapidated due to lack of maintenance and care and is definable as an unsafe structure, that is unfit for human occupancy and a danger to anyone who may attempt to enter. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, the Code Enforcement Officer concludes in his report that this building is unsafe and poses an unsafe condition to the general public. It is the Code Enforcement Officer’s recommendation that the structure should be completely demolished and removed; and

WHEREAS, by Resolution No. 158-2023, the Board of Legislators ordered and decreed that the Owner of said building appear before this Board of Legislators on October 3, 2023 at 5:00 p.m. and Show Cause before this Board why it should not Order said Owner to immediately demolish and remove the building located on the parcel identified as Tax Map No. 321.15-01-11.000, 6314 East Main Street, in the Village of Turin, County of Lewis; and that in the event that the Owner fails to comply with such Order or fails or refuses to demolish or remove said building, and related debris, 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 if required to collect the costs of demolition, including legal expenses; and

WHEREAS, the Owner was given due notice of the hearing before this Board and confirmed receipt of same by his telephone communication with the County Attorney on September 26, 2023. He was also served with the documents by regular mail service. A Notice of the Hearing was securely affixed upon the unsafe building on September 20, 2023;

WHEREAS, as a result of communication with the Owner and his request to adjourn the hearing scheduled for October 3, 2023, by motion of the Board of Legislators the hearing was adjourned to November 7, 2023 at 5:00 p.m.

WHEREAS, the Owner did appear for the hearing before the Lewis County Board of Legislators on November 7, 2023;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines as follows:

- (a) That Ignacio Ahumada is the Owner of the premises known as Tax Map No. 321.15-01-11.000, located at and designated as 6314 East Main Street, in the Village of Turin, County of Lewis;
- (b) That the Lewis County Code Enforcement Officer duly inspected said premises, condemned the structure, and declared that the building located on said premises was unsafe and not repairable and should be properly demolished and removed;
- (c) That the structure is abandoned, unsecured, has foundational damage, structural damage to the roof, and is unfit for human occupancy and a danger to anyone who may attempt to enter;
- (d) That the Board of Legislators received the report of the Code Enforcement Officer dated July 24, 2023, and agrees with his findings;
- (e) That pursuant to Local Law No. 2 – 2007, on November 7, 2023, at its regular meeting the Board of Legislators determined that the building was unsafe, constitutes a public nuisance, and a danger to the safety, health, and welfare of the community; and that the building must be demolished and removed from the premises;
- (f) That Ignacio Ahumada has received due notice of these proceedings;
- (g) That the building located on the premises known as Tax Map No. 321.15-01-11.000, located at 6314 East Main Street, Village of Turin, County of

Lewis is unsafe, constitutes a public nuisance and a danger to the safety, health, and welfare of the community and must be immediately demolished and removed;

Section 2. That by reason of such findings, it is hereby

ORDERED AND DECREED that Ignacio Ahumada, Owner of premises known as Tax Map No. 321.15-01-11.000 and located at and designated as 6314 East Main Street, in the Village of Turin, County of Lewis, shall immediately demolish and remove the building located thereon; and it is further

ORDERED AND DECREED that Ignacio Ahumada, shall immediately commence proper removal of the building within thirty (30) days of service of this order; and shall complete same within sixty (60) days thereafter; and

ORDERED AND DECREED, that in the event that Ignacio Ahumada fails or refuses to commence the demolition process in accordance with this Resolution, the Code Enforcement Officer shall cause such building to be demolished and removed either by County employees or by contract, provided that any contract for demolition and removal of a building in excess of \$20,000.00 shall be awarded through competitive bidding; and it is further

ORDERED AND DECREED, that in the event that the County provides for the demolition and removal of such building, all of the costs and expenses of same shall be assessed against the land upon which it is located; and it is further

ORDERED AND DECREED that a certified copy of this resolution and orders shall be given to Ignacio Ahumada, Owner of such building by personal service or by certified mail, and by electronic mail to the addresses provided by him to the County Attorney at his last known address as shown by the record of the receiver of taxes.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 201 - 2023

RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN THE COUNTY OF LEWIS AND VARIOUS PROVIDERS FOR SUBSTANCE ABUSE AND OTHER MENTAL HEALTH DISORDERS

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Director of Community Services seeks renewal agreements to provide services regarding Substance Abuse Disorders for incarcerated persons in the County Jail under Chapter 432 of the 2021 Laws of New York who suffer from substance abuse disorders as defined under the law regarding peer services, MAT counseling, inmate assessment, treatment planning and the prescribing and monitoring of methadone to inmates in the program; and

WHEREAS, the Community Services Board (CSB) receives state aid funding for peer-to-peer services in the community and may receive adjustments to the initial state aid funding based upon a Cost-Of-Living Adjustment ("COLA") or other funding adjustment determined by the state; and

WHEREAS, the CSB seeks to renew the proposed service between the County of Lewis and the following providers for program service;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes renewal Agreements between the County of Lewis and the following providers for program services in the amounts set forth, plus any financial adjustment(s) made by the State to said annual amounts for 2024:

PROVIDER	PURPOSE	AMOUNT
Credo Community Center For The Treatment Of Addictions, Inc.	Counseling, Prescribing, Monitoring, and Oversight for the prescribing of Methadone to Incarcerated Persons accepted into the Jail MAT program	\$66,428.00 plus fee for service: Initial Face to Face Assessment, Physical Exam, Follow-up Prescriber Appointment: \$123.75 On-Call Contact: \$30.00/15 minute increments Mileage at the federal rate

Northern Regional Center For Independent Living	Peer Services for Jail MAT program	Annual sum not to exceed \$41,250.00
Mental Health Association In Jefferson County	Joseph D. Dwyer Veterans Peer-to-Peer Program	Annual sum not to exceed \$87,800.00.

Section 2. That the term of said Agreements for Jail MAT services shall be from January 1, 2024 through December 31, 2024. The Mental Health Association in Jefferson County Agreement shall be from January 1, 2024 through December 31, 2025.

Section 3. That the Mental Health Association in Jefferson County is to be modified based upon the annual funding awarded by the State, together with any annual COLA adjustment That the Lewis County Board of Legislators hereby authorizes the Treasurer to adjust the appropriation upon receipt of any notification from the state.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements and any modifications thereto, pending approval by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 202 - 2023

**RESOLUTION RE-APPOINTING MEMBERS
TO THE COMMUNITY SERVICES BOARD
DEVELOPMENTAL DISABILITIES SUBCOMMITTEE**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby re-appoints the following individuals as members of the Lewis County Community Services Board Developmental Disabilities Subcommittee for a four-year term:

Tina Cummings of Watertown, NY
Louise Fox of Lyons Falls, NY

Section 2. That the term of said appointments shall be effective from January 1, 2024 through December 31, 2027.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 203 – 2023

**RESOLUTION RE-APPOINTING MEMBERS TO
COMMUNITY SERVICES BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints Anna Platz of Carthage, NY and Melanie Saber of Lowville, NY as members of the Lewis County Community Services Board for a four-year term.

Section 2. That the term of said appointment shall be effective January 1, 2024 through December 31, 2027.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 204 - 2023

**RESOLUTION TO APPROPRIATE FUNDS
Highway Department**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

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

Increase Revenue:

DM513000 326650 Machinery Sale of Equip	\$81,700.00
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Increase Expenditure:

DM513000 223300 Machinery Vehicles	\$81,700.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 205 - 2023

**RESOLUTION AUTHORIZING BRIDGE NY MASTER AGREEMENT BETWEEN NEW
YORK STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY FOR
THE CONSTRUCTION/CI PHASE UNDER THE LOCALLY ADMINISTERED
FEDERAL-AID BRIDGE REPLACEMENT PROJECT
(PIN 775395) KNOWN AS CR 21 OVER GULF STREAM**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Bridge Replacement known as County Route 21 over Gulf Stream (PIN 775395; BIN 1039780) (the "Project") in the Town of Pinckney, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for the Construction/ Construction Inspection (CI) phase.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Chair of the Board of Legislators to execute the Master Agreement under Contract No. D0040926 with NYS DOT, known as CR 21 over Gulf Stream, PIN 775395/BIN1039780 to pay 100% of the cost of Construction/CI work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds.

Section 2. That the sum of \$99,110.00 is hereby authorized to be appropriated and made available to cover the cost of participation in the above phase of the Project.

Section 3. That the Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the County of Lewis.

Section 4. That in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Board of

Legislators shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Highway Supervisor thereof.

Section 5. That the County of Lewis hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

Section 6. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Lewis' funding Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriation therefore that are not so eligible.

Section 7. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 8. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate \$99,110.00 of funding in the Capital Bridge Program to facilitate the Construction/CI phase for the Locally Administered Federal-Aid process, for Bridge Replacement on County Route 21 over Gulf Stream (PIN 775395) in the Town of Pinckney, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 9. That the within Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 206 - 2023

RESOLUTION AUTHORIZING BRIDGE NY MASTER AGREEMENT BETWEEN NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY FOR THE CONSTRUCTION/CI PHASE OF THE FEDERAL-AID BRIDGE REPLACEMENT PROJECT (PIN 775389) KNOWN AS CR 43 (EAST ROAD) OVER MOOSE CREEK

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Bridge Replacement known as County Route 43 (East Road) over Moose Creek (PIN 775389; BIN 3339700) (the "Project") in the Town of Leyden, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for the Construction/ Construction Inspection (CI) phase (Contract # D040925).

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Chair of the Board of Legislators to execute the Master Agreement under Contract No. D040925 with NYS DOT, known as CR 43 (East Road) over Moose Creek, PIN 775389/BIN3339700 to pay 100% of the cost of Construction/CI phase for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds.

Section 2. That the sum of \$94,845.00 is hereby authorized to be appropriated and made available to cover the cost of participation in the above phase(s) of the Project.

Section 3. That the Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the County of Lewis.

Section 4. That in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Highway Supervisor thereof.

Section 5. That the County of Lewis hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

Section 6. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Lewis' funding Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriation therefore that are not so eligible.

Section 7. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 8. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate \$94,845.00 of funding in the Capital Bridge Program to facilitate the Construction/CI phase under the Locally Administered Federal-Aid Process, for the Bridge Replacement on County Route 43 East Road over Moose Creek (PIN 775389) in the Town of Leyden, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 9. That the within Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 207 - 2023

**RESOLUTION AUTHORIZING BRIDGE NY AGREEMENT BETWEEN NEW YORK
STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY FOR THE
PRELIMINARY DESIGN & CONSTRUCTION PHASE OF CULVERT REPLACEMENT
PROJECT (PIN 775424) KNOWN AS
KOTEL ROAD OVER SOUTH BRANCH OF CRYSTAL CREEK**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Culvert Replacement known as Kotel Road over South Branch of Crystal Creek (PIN 7754.24, CONTRACT # D040959) (the "Project") in the Town of Watson, County of Lewis, is eligible for reimbursement from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ration of 100% Bridge NY funds and 0% non-Bridge NY funds;

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for the preliminary engineering design and construction/CI phases.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Chair of the Board of Legislators to execute Contract No. D040959 with NYS DOT, known as Kotel Road over South Branch of Crystal Creek, PIN 7754.24 to pay 100% of the cost of design and construction/CI phases for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding.

Section 2. That the sum of \$1,179,000.00 is hereby authorized to be appropriated and made available to cover the cost of participation in the above phases of the Project.

Section 3. That the Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the County of Lewis.

Section 4. That in the event the costs of the Project exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Lewis County Highway Supervisor.

Section 5. That the Lewis County Board of Legislators hereby agrees that the County of Lewis hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

Section 6. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications, or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the County of Lewis in connection with the advancement or approval of the Project costs.

Section 7. That the County of Lewis will be responsible for all maintenance of the Project.

Section 8. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 9. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate \$1,179,000.00 of funding in the Capital Bridge Program to facilitate the Design, Construction/CI phases for the Bridge Replacement on Kotel Road over South Branch of Crystal Creek (PIN 7754.24) in the Town of Watson, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 10. That the within Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 208 - 2023

**RESOLUTION AUTHORIZING BRIDGE NY AGREEMENT BETWEEN NEW YORK
STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY FOR THE
R.O.W. – INCIDENTALS/ACQUISITION PHASES FOR CULVERT REPLACEMENT
PROJECT (PIN 7754.24) KNOWN AS KOTEL ROAD OVER SOUTH BRANCH OF
CRYSTAL CREEK**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Culvert Replacement known as Kotel Road over South Branch of Crystal Creek (PIN 7754.24, CONTRACT # DO41006) (the “Project”) in the Town of Watson, County of Lewis, is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ration of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for the Right-of-Way (ROW) Incidentals and Acquisition phases;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Chair of the Board of Legislators to execute Contract No. D041006 with NYS DOT, known as Kotel Road over South Branch of Crystal Creek, PIN 7754.24 to pay 100% of the cost of ROW Incidentals and ROW Acquisition phases for the Project or portions thereof, with the understanding that qualified costs will be reimbursement from Bridge NY funding.

Section 2. That the sum of \$32,000.00 is hereby authorized to be appropriated and made available to cover the cost of participation in the above phase(s) of the Project.

Section 3. That the Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the County of Lewis.

Section 4. That in the event the costs of the Project exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to

appropriate said excess amount immediately upon the notification by the Highway Supervisor.

Section 5. That the Lewis County Board of Legislators hereby agrees that the County of Lewis hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

Section 6. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications, or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the County of Lewis in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs.

Section 7. That the County of Lewis will be responsible for all maintenance of the Project.

Section 8. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 9. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate \$32,000.00 of funding in the Capital Bridge Program to facilitate the ROW incidentals and ROW Acquisition phases for the Bridge Replacement on Kotel Road over South Branch of Crystal Creek (PIN 7754.24) in the Town of Watson, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 10. That the within Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 209 - 2023

**RESOLUTION AUTHORIZING BRIDGE NY AGREEMENT BETWEEN NEW YORK
STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY FOR
IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE FOR THE CULVERT
REPLACEMENT PROJECT (PIN 7754.23) KNOWN AS
ERIE CANAL ROAD OVER BLACK CREEK**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, a Project for the Culvert Replacement known as Erie Canal Road over Black Creek (PIN 7754.23, CONTRACT # D040958) (the "Project") in the Town of New Bremen, County of Lewis, is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for the Design, ROW Incidentals, ROW Acquisition, and Construction phases;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the Project and authorizes the Chair of the Board of Legislators to execute Contract No. D040958 with NYS DOT, known as Erie Canal Road over Black Creek, PIN 7754.23 to pay 100% of the cost of design, ROW Incidentals, ROW Acquisition, and construction phases for the Project or portions thereof, with the understanding that qualified costs will be reimbursement from Bridge NY funding.

Section 2. That the sum of \$1,979,000.00 is hereby authorized to be appropriated and made available to cover the cost of participation in the above phase(s) of the Project.

Section 3. That the Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the County of Lewis.

Section 4. That in the event the costs of the Project exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to

appropriate said excess amount immediately upon the notification by the Highway Supervisor.

Section 5. That the Lewis County Board of Legislators hereby agrees that the County of Lewis hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

Section 6. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications, or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the County of Lewis in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs.

Section 7. That the County of Lewis will be responsible for all maintenance of the Project.

Section 8. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 9. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate \$1,979,000.00 of funding in the Capital Bridge Program to facilitate the Design, ROW Incidentals, Row Acquisition, and Construction/CI phases for the Bridge Replacement Project known as Erie Canal Road over Black Creek (PIN 7754.23) in the Town of New Bremen, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 10. That the within Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 210 - 2023

**RESOLUTION TO APPROPRIATE & TRANSFER FUNDS
Office For the Aging**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Office For the Aging accounts to reflect additional NYS funding.

Increase Revenue:

A0677200 337722 NYS Unmet Needs Revenue	\$61,000.00
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Increase Expenditure:

A0677200 483000 Unmet Needs Expenditures	\$61,000.00
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Section 2. That the following budget transfer is hereby approved in the Office For the Aging accounts due to increased costs and utilization of services.

From:

A0101000 419900 BOL Special Contingency	\$140,000.00
A0199000 499900 Contingency	\$10,000.00

To:

A0677200 491100 Prof Services Nutrition	\$150,000.00
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Section 3. That the within resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 211 - 2023

**RESOLUTION AUTHORIZING CONSULTANT AGREEMENT
BETWEEN OFFICE FOR THE AGING AND
AMANDA WOOLNOUGH, REGISTERED DIETICIAN**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Office for the Aging (“OFA”) Nutrition Program seeks to comply with NYSOFA nutrition program standards. OFA currently contracts with a Certified Nutrition Specialist (“CNS”) who is not licensed with New York State, and who provides CNS services approximately twelve (12) hours a week or forty-eight (48) hours a month; and

WHEREAS, OFA desires to have Amanda Woolnough, a Registered Dietician (“RD”) provide oversight of the work provided by the CNS, and thereby bring OFA in compliance with the nutrition standards while ensuring smooth program operation. The CNS will continue to provide services 10-12 hours a week or 48 hours a month, in preparing menu plans, developing nutrition information and education programs, and in providing nutrition counseling; and

WHEREAS, the OFA Nutrition Program has 150 to 175 clients on service in the six (6) community dining sites. OFA serves a small, rural county and the need for the Nutrition Program cannot be compared to larger service areas of other Area Agency on Aging (AAAs); and

WHEREAS, the RD will provide the following services: Complete menu review and certification; Review and approve nutrition information, education programs and materials; Oversee work completed by the CNS; Provide service to OFA Nutrition Program if CNS is not available; Work on special projects or initiatives upon request; and Provide any necessary consultation to the CNS and OFA Meals Program Coordinator regarding nutrition counseling; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Consultant Agreement between the County of Lewis, by and through the Lewis County Office for the Aging, with Amanda Woolnough, Registered Dietician, to provide oversight of the work completed by the CNS and bring OFA in compliance with the nutrition standards while ensuring smooth program operation in the Lewis County Office for the Aging’s Nutrition Program.

Section 2. That the term of the Agreement shall be from January 1, 2024 through December 31, 2024, at an hourly rate of \$50.00 for up to sixteen (16) hours of RD services per week, or as needed and agreed upon by the Director of Office for the Aging.

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

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 212 - 2023

**RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN OFFICE FOR THE AGING AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Office For The Aging wishes to enter into agreements with various providers to utilize their services for the elderly residents in Lewis County; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Agreements between the County of Lewis and the following various providers for program services for the elderly in the amounts herein set forth:

CONTRACTOR	PURPOSE	AMOUNT
Double Play Community Center	Evidenced-based Physical Programs and Workshops	\$720.00 per session-Aquatics \$720.00 per session-Walk w/Ease
Lewis County Opportunities	Installing Ramps and Increasing Bathroom Accessibility in Homes	\$25,000.00
U.S. Care Systems, Inc. (Caregiver Services)	Respite	\$29.00 per hour
U.S. Care Systems, Inc. (EISEP/CSEM Program)	Housekeeping (In-Home Personal Care)	\$29.00 per hr. for Level I \$29.43 per hr. for Level II
Seniors Helping Seniors	Housekeeping/Chore, Respite & "Heavy Chore" Services for Homebound, Ill, or Disabled Residents	\$33.00 per hour
Plan-It Staffing	Consumer Directed In-Home Services under EISEP & CSE	\$27.35 per hour
McManus Hotel	Evening Meal Program	Congregate & Home Delivered Meals: \$10.75 Evening Meals: 15.00

		Evening Meal at Maple Ridge for two 6-week sessions of one evening meal per week May/June 2024 September/October 2024 \$15.00 per meal
Osceola Outpost, LLC	Evening Meal Program	\$10.75 per meal \$300.00 per month for rent

Section 2. That the Agreements shall be for the term commencing on January 1, 2024 through December 31, 2024.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreements and any amendments thereto, pending approval by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 213 - 2023

**RESOLUTION TO APPROPRIATE AND TRANSFER FUNDS
Public Defender**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Public Defender accounts to recognize additional funds due for Indigent Legal Services:

Increase Revenue:

A0117000 330259 Public Defender Grant Statewide	\$220,000.00
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Increase Expenditure:

A0117000 494959 Public Defender Statewide Exp	\$220,000.00
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Section 2. That the following budget transfer is hereby approved in the Public Defender accounts to recognize increased assigned counsel vouchers for Indigent Legal Services:

From:

A0199000 499900 Contingency	\$10,000.00
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To:

A0117000 493400 Assigned Counsel	\$10,000.00
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Section 3. That the within resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 214 - 2023

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND MICHELLE NIKITICH TO
PROVIDE OCCUPATIONAL THERAPY FOR
PRE-K SPECIAL EDUCATION SERVICES**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, pursuant to Section 4410 of the New York State Education Law, Lewis County Public Health ("Public Health") is tasked with providing certain Preschool Services for children with disabilities defined in the Program; and

WHEREAS, if a child requires occupational therapy in Preschool, Public Health is required to provide qualified persons to provide that service; and

WHEREAS, Public Health seeks to contract with Michelle Nikitich to provide occupational therapy to children receiving Preschool Special Education services commencing January 1, 2024 through December 31, 2024, at the rates set by NYSED and the Lewis County Board of Legislators; and

WHEREAS, the Lewis County Board of Legislators seeks to approve and authorize said agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Public Health Agency to enter into an agreement with Michelle Nikitich, who is qualified and certified as an occupational therapist, to provide OT to children receiving Preschool Special Education services through and as directed by the Lewis County Public Health Agency.

Section 2. That the agreement for said services shall commence January 1, 2024 through December 31, 2024, with automatic renewal unless terminated by either party upon ninety (90) days written notice prior to the end of the term; with the hourly compensation rate set by NYSED and as annually adopted by the Board of Legislators.

Section 3. That the Lewis County Board of Legislators hereby authorizes the Director of Lewis County Public Health to execute and deliver such Agreement, and any amendments thereto, upon review and approval by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 215 - 2023

**FIXING DATE OF PUBLIC HEARING ON ADDITION
TO THE OHV TRAIL SYSTEM**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on December 5, 2023, a proposed addition of 0.7 miles of off highway vehicle (OHV) trails to the Lewis County OHV Trail System pertaining. The proposed trails are located in the Town of Lewis, which include the following parcels:

Parcel No.: 417.00-01-20.112 – North of Osceola Rd., Southeast of Goodhines Rd.

Parcel No.: 417.00-01-03.000 – North of Osceola Rd., East of Goodhines Rd.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 5, 2023, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators for the purpose of receiving public comment regarding the proposed addition of 0.7 miles of OHV trails to the Lewis County OHV Trail System.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 216 - 2023

**RESOLUTION SUPPORTING OPERATION GREEN LIGHT IN RECOGNITION OF
ACTIVE MILITARY SERVICE MEMBERS AND THOSE IN TRANSITION TO
CIVILIAN LIFE**

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

WHEREAS, the residents of Lewis County have great respect, admiration, and the utmost gratitude for all who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, church groups, and other community agencies; and

WHEREAS, approximately 200,000 service members transition to civilian communities annually, with an estimated 20% increase of service members anticipated to transition to civilian life in the near future; and

WHEREAS, studies indicate that 44% to 72% of service members experience high levels of stress during transition from military to civilian life, and are at a high risk for suicide during their first year after military service; and

WHEREAS, the Lewis County Board of Legislators appreciates the sacrifices our United States Military Personnel made while defending freedom, and believes specific recognition be accorded them to demonstrate the honor and support they deserve and have earned; and

WHEREAS, in advance of the upcoming Veterans Day holiday, and as part of a state-wide NYS Association of Counties and NYS County Veteran Service Officers' Association collaborative initiative known as "Operation Green Light", the Lewis County Board of Legislators encourages its citizens to focus attention on America's service men and women by displaying a green light for Veterans in the windows of their places of business or residence;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That in observance of Operation Green Light, the Lewis County Board of Legislators encourages its citizens in patriotic tradition to recognize the importance of honoring all those whose immeasurable sacrifices help to preserve freedom, and to let veterans know that they are seen, appreciated, and supported by displaying an interior or exterior green light in their business or residence the week around Veterans Day, i.e., November 11, 2023 through November 17, 2023.

Section 2. That with designation as a Green Light for Military Service County, the Lewis County Board of Legislators hereby declares the week of November 11, 2023 through November 17, 2023 as a time to salute and honor the service and sacrifice of our men and women in uniform, and those transitioning from Active Service.

Section 3. That the Lewis County Board of Legislators directs that an exterior green light be displayed at the Lewis County Courthouse Building and any other County buildings capable of such lighting for the period of November 11, 2023 through November 17, 2023.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 217 – 2023

**APPOINTING MEMBER TO
LEWIS COUNTY YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints April Seymour-Ritz of Pinckney, New York, as a member on the Lewis County Youth Bureau Advisory Board to fill a current vacancy.

Section 2. That the term of said appointment shall be effective November 7, 2023 through June 30, 2025.

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

Moved by Legislator __, seconded by Legislator __, and adopted.